

THE JAMESTOWN PROJECT



JAMESTOWN, VIRGINIA



National Park Service
Colonial National Historical Park, Jamestown Unit

Association for the Preservation of Virginia Antiquities
Jamestown National Historic Site

Volume 2
Chapters 4-5, References

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Consultation and Coordination

- 5.1 Introduction
- 5.2 Public Involvement Approach
- 5.3 Interagency Consultation
- 5.4 Document Review, List of Recipients, and Response to Comments



5 Consultation and Coordination

5.1 INTRODUCTION

Public involvement has been an ongoing and key component of this Development Concept Plan/Environmental Impact Statement (DCP/EIS). This chapter describes the general processes that were used to include the public; appropriate federal, state, and local agencies; and other interested parties in the Jamestown Project planning and design in a meaningful and productive manner. In addition, this chapter also contains the comments received during the 60-day public review of the Draft DCP/EIS and formal responses to those comments.

5.2 PUBLIC INVOLVEMENT APPROACH

From the inception of the Jamestown Project, the study team recognized that the greatest challenge to identifying feasible alternatives was not overcoming engineering and permitting hurdles, but designing alternatives that could reconcile competing visions for Jamestown Island while avoiding and protecting sensitive cultural and natural resources. To respond to this challenge, the planning team designed a public involvement approach that brought all the major stakeholders, agencies, and a distinguished group of scholars, historians, archaeologists, architects, museum planners, and educators into the study process as contributors. These constituencies worked with the study team to direct the planning efforts toward alternatives that could enhance research and educational opportunities, improve the quality of the visitor experience, and protect the

Jamestown collection while preserving the tranquil beauty and character of Jamestown Island.

The public involvement approach had six major elements:

- A visioning process;
- Intensive charrette;
- Project scoping process;
- Briefings for NPS and APVA staff, as well as local, state, and federal agency officials;
- Newsletters; and
- Public meetings.

Initial planning efforts took place in 1997 and 1998 as part of the ICON Architecture, Inc., study for the Jamestown experience and were used to identify major stakeholders and develop a common “vision” for Jamestown. Out of this process, a framework/outline for interpretive approaches and the visitor experience were established. Possible functions and facilities were proposed; Jamestown Island, Jamestown Settlement, and Colonial Williamsburg all figured prominently in this vision. The charrette brought together a distinguished group of nationally recognized scholars, planners, architects, cultural resource specialists, and educators to review the vision and offer recommendations and constructive analyses. A meeting summary was prepared in 1999 that captured agreements made and issues raised. Input from the design charrette was described and visualized in the *Draft Master Plan for Jamestown* (APVA and Colonial NHP 1999).

With the initial visioning documents in hand, the Association for the Preservation of Virginia Antiquities (APVA) and the National Park Service (NPS) held a careful and open selection process to choose the consultants to prepare an Interpretive Plan for Jamestown and this *Development Concept Plan/ Environmental Impact Statement*. Haley Sharpe Design of Leicester, England, was selected for the Interpretive Plan, and Carlton Abbott and Partners of Williamsburg, Virginia, was chosen to design the physical alternatives and prepare the DCP/EIS in association with Vanasse Hangen Brustlin (VHB) of Williamsburg.

Interviews were again held with major stakeholders; local, state, and federal resource groups; the media; internal APVA and NPS staff; and special interest groups, including local African-American and Virginia Indian communities with strong historical connections to the project site. Many new technical and political issues and concerns were raised during this series of scoping interviews. Contributions from the interviews were supplemented by responses from briefings of regional NPS staff and congressional officials, periodic newsletters, and a series of public meetings. Development and design alternatives were constantly adjusted in response to public input, and the public involvement approach itself was tweaked to respond to emerging issues and concerns.

5.2.1 The Visioning Process

Members of a study team spearheaded by the ICON firm conducted interviews with APVA and NPS staff (at the local and regional level), elected officials and staff of James City County and the City of Williamsburg, staff members from the Jamestown Settlement and the Colonial Williamsburg Foundation, and local landowners. Interviews took place in March, April, and May of 1997. Visions for Jamestown that emerged from the contributions and recommendations of these parties included:

- Endorse the “One Jamestown” concept for an improved visitor experience; thus eliminating visitor confusion between Jamestown Settlement, the living history site and Jamestown Island, the original historic site.
- Integrate programs, themes, and activities between Jamestown Settlement and Jamestown Island.
- Establish complementary roles for APVA, NPS, and the Jamestown-Yorktown Foundation.
- Coordinate with Colonial Williamsburg on transportation, visitor information, ticketing, and a transportation/gateway hub at Neck of Land.
- Develop new unified signage for the visitor experience.
- Make changes to ticketing options between Jamestown Island, Colonial Williamsburg, and Jamestown Settlement.
- Endorse the “One Jamestown” concept for marketing.
- Intensify fundraising.

These initial visions and ideas helped form the basis for future planning at Jamestown.

5.2.2 Intensive Charrette

In June 1999, as part of the joint planning process, the APVA and NPS brought together a distinguished group of scholars, historians, archaeologists, architects, museum planners, and educators for an intensive charrette. The charrette engaged these professionals to review the concepts devised by ICON and offer constructive analysis.

Participants visited Jamestown Island, Jamestown Settlement, and Colonial Williamsburg.

APVA and NPS planning team members and staff, invited panelists, ICON Architecture, Inc., staff from the state-organized Jamestown 2007 planning team, and the Jamestown-Yorktown Foundation participated in the charrette. Key panelists at the charrette are listed in Table 5-1. Jonathan Lane of ICON facilitated the charrette. Presentations were given by John Horne, planner, James City County; Ivor Noel Hume, distinguished archaeologist; Joseph Gutierrez, Senior Director for Museum Operations and Education, Jamestown Settlement; and John Raup, Assistant to the President, Colonial Williamsburg.

The results of the charrette retained some key ICON recommendations, dismissed others, and added some new ones, with the key findings presented in a visioning document, the *Draft Master Plan for Jamestown* (APVA and NPS 1999). This working document framed issues to help both the APVA and NPS better understand visitor and resource need interactions.

ICON concepts dismissed as a result of the charrette included:

- Modern architectural style of new facilities;
- Overwhelming scale of new facilities;
- Interpretive landscape elements, including memorial dogwood trees; and
- The James River port entrance.

New concepts developed from the charrette included:

- Take advantage of the “island-ness” and “hallowed ground” aura of Jamestown Island.
- Minimize building and parking on Island.
- Use appropriate technology to help visitors understand the site’s complex archaeological and historical stories.
- Emphasize human interaction with visitors. Include rangers, archaeologists, and costumed interpreters telling up-to-date stories that reflect recent scholarship.
- Interpret Jamestown Island as an encounter of three radically different cultures – North American, European, and African.

Table 5-1: Charrette Panelists

Name	Title/Discipline	Association
Carlton S. Abbott	Architect	Carlton Abbott and Partners P.C.
Dennis Blanton	Archaeologist	Center for Archaeological Research, College of William and Mary
Cary Carson	Vice President of Research	Colonial Williamsburg Foundation
James Horn	Director of International Studies	Jefferson Center, Monticello Home of Thomas Jefferson
Karen Kupperman	Ph.D., History	Cambridge University
Joseph C. Miller	Ph.D., African Studies	University of Virginia
C. Ronald Ostberg	Architect and Director of Design	The Stubbins Associates, Inc.
Harrison Price	Museum Planner	Harrison Price Company
Anna C. Roosevelt	Curator of Archaeology	The Field Museum of Chicago
Edwin Schlossberg	Museum Designer	Edwin Schlossberg, Inc.
Duncan B. Sutherland	Visionary	Wilmer, Cutler & Pickering
Lorena Walsh	Senior Historian	Department of Research, Colonial Williamsburg Foundation
Walter R. T. Witschey	Director	Science Museum of Virginia

5.2.3 Project Scoping

After the visioning documents were prepared, the Jamestown Project planning team conducted a series of scoping meetings. They sought to hear from diverse representatives of the community. The team held a series of stakeholder meetings to gather different perspectives on Jamestown and its needs. The meetings focused on interpretation, facilities, and the project area redevelopment, rather than on special programs for 2007. Individuals and groups were informed in advance of the meetings and invited to participate.

This project has engaged interested individuals and organizations outside as well as inside the APVA and National Park Service. These included local and regional APVA and NPS staff, the media, the business and tourism community, the Jamestown-Yorktown Foundation, Colonial Williamsburg, educators, members of the African-American community, members of the American Indian community, local governments, owners of area attractions, homeowner's associations, churches,

environmental and regulatory agencies, the State Historic Preservation Officer (as represented by the Virginia Department of Historic Resources), the Advisory Council on Historic Preservation, the Virginia Department of Transportation, the U.S. Coast Guard, the Center for Watershed Protection, the James River Association, and others.

Table 5-2 lists the first round of scoping meetings held at Jamestown Island, Jamestown Settlement, and Colonial Williamsburg. The Jamestown planning team members were present at each of these meetings, and site tours were offered to each interested group.

Table 5-3 lists the second round of scoping meetings held at the offices of the individual group or agency. Jamestown planning team members attended each of these meetings.

Finally, a third set of meetings was held at the James City County Government Center and at Jamestown Island (Table 5-4). Jamestown planning team members were present at each of these meetings as well.

Table 5-2: First Round of Scoping Meetings

Meeting	Date	Attendees
Scoping Meeting 1	August 15, 2000	APVA and NPS staff
Scoping Meeting 2	August 15, 2000	Media representatives
Scoping Meeting 3	August 15, 2000	Business and tourism representatives
Scoping Meeting 4	August 15, 2000	Jamestown-Yorktown Foundation staff and board members
Scoping Meeting 5	August 15, 2000	Invited individuals who missed previous times
Scoping Meeting 6	August 15, 2000	Representatives of African-American community
Scoping Meeting 7	August 16, 2000	Colonial Williamsburg Foundation representatives
Scoping Meeting 8	August 16, 2000	Educators
Scoping Meeting 9	August 16, 2000	Representatives of the American Indian community
Scoping Meeting 10	August 16, 2000	Invited individuals who missed previous times

Table 5-3: Second Round of Scoping Meetings

Meeting	Date	Attendees
Scoping Meeting 11	August 30, 2000	Representatives of the Virginia Department of Conservation and Recreation, Division of Natural Heritage: Thomas L. Smith, division director, and James C. Ludwig, inventory manager
Scoping Meeting 12	August 30, 2000	Representatives of the Virginia Department of Historic Resources: H. Alexander Wise, director; James Christian Hill, landscape architect, Division of Project Review
Scoping Meeting 13	August 30, 2000	Representatives of the Chesapeake Bay Local Assistance Department: Martha H. Little, chief, Environmental Planning Division; David J. Kovacs, principal planner; and Catherine Harold, environmental engineer
Scoping Meeting 14	September 1, 2000	Patricia A. Jackson, executive director, James River Association
Scoping Meeting 15	September 1, 2000	Beatrix Rumford, vice president in charge of special projects, Colonial Williamsburg

Table 5-4: Third Round of Scoping Meetings

Meeting	Date	Attendees
Scoping Meeting 16	September 19, 2000	Local government officials
Scoping Meeting 17	September 19, 2000	Representatives of area attractions
Scoping Meeting 18	September 19, 2000	Historians and researchers
Scoping Meeting 19	September 19, 2000	Invited individuals unable to attend previous times
Scoping Meeting 20	September 19, 2000	Homeowners and associations
Scoping Meeting 21	September 20, 2000	Historic preservationists
Scoping Meeting 22	September 20, 2000	Transportation stakeholders
Scoping Meeting 23	September 20, 2000	Church representatives
Scoping Meeting 24	September 20, 2000	Invited individuals unable to attend previous times

5.2.4 Governmental Briefings

5.2.4.1 Congressional and NPS Briefings

As part of the public involvement process, the planning team provided briefings to local and regional NPS staff, as well as congressional representatives (Table 5-5). The briefings occurred in March, April, and June of 2001 and January and April 2002. Officials were briefed on the progress of the study, and the team presented the outcomes of the alternatives selection. The planning team responded to questions and asked officials to endorse the Preferred Alternative.

5.2.4.2 Consultation with American Indian Tribes

Potentially relevant to the development of the Jamestown Project are the laws and regulations that deal with American Indian relationships and discovery of human remains. American Indian archaeological resources (including two clovis points) have been located at the Jamestown Project site, and several Virginia tribes, including the Mattaponi, Pamunkey, and Chickahominy, have historical connections to the site. No tribes now use the site or surrounding areas for traditional purposes (See “Ethnographic Resources” in Chapters 3 and 4).

Federal agencies are responsible for consulting with tribes that are federally recognized through a government-to-government relationship. Even though none of the tribes with historical ties to the Jamestown Project site are federally recognized, the APVA and NPS have honored this relationship and held consultations and meetings exclusively with the vested tribes and tribal leaders.

In addition to focus meetings held specifically for the American Indian community, APVA and NPS representatives met twice with the United Indians of Virginia, a consortium of seven tribes, for presentation of and consultation on the alternatives. On January 20, 2001, there was a presentation and discussion of the Jamestown Project with the board of the United Indians of Virginia at Tsena Commocko Church in New Kent County, Virginia. Carlton Abbott, of the architectural/engineering team, led the presentation and discussion, as he is currently working on a project for a sacred burial site for the United Indians. The second meeting was held on March 31, 2001, again with the board of the United Indians of Virginia. During this meeting at the Chickahominy Tribal Center in Charles City, Virginia, project representatives presented the alternatives.

Table 5-5: Congressional and National Park Service Briefings

Meeting	Date	Attendees/Meeting Summary
Congressional Briefing	March 21, 2001	NPS/APVA leadership met with congressional liaisons to brief them on the Jamestown Project.
Washington Briefing	March 23, 2001	NPS/APVA leadership met with officials of the NPS Washington, D.C. office to brief them on the Jamestown Project.
Local Briefing	April 2001	NPS/APVA leadership and planning team members met with local APVA/NPS staff to brief them on the Jamestown Project status.
Philadelphia Briefing	June 20, 2001	NPS leadership presented concept alternatives to officials of the NPS Northeast Regional office.
Philadelphia Briefing	January 2002	NPS/APVA leadership and planning team members met with officials of the NPS Northeast Regional office to discuss the project.
Washington Briefing	April 2002 May 2002 June 2002	NPS/APVA leadership and planning team members met with officials of the NPS Washington, D.C. office to discuss the project.

On May 15, 2001, the NPS Jamestown Project director presented the alternatives to the Council of Virginia Indians, an official entity established by the Commonwealth of Virginia, at the council's monthly meeting. Carlton Abbott met again with the United Indians of Virginia in November 2001 and March 2002. In addition, in June 2001 Deana Beachum, a Virginia Indians representative, participated in the Value Analysis and gave valuable input and insights into the alternatives during that process.

To date, comments received from these consultations have been related to interpretation and how the stories and histories of Jamestown have been and will be told. Interpretation of the American Indian story is fairly limited at Jamestown. Representatives are excited about the proposed actions related to telling the American Indian story at Neck of Land and on the proposed tour boat. No direct comments have been related to proposed facilities themselves.

The Preferred Alternative will be shared with both the Council of Virginia Indians and the United Indians of Virginia during the public comment process of the DCP/EIS. In addition, the APVA and NPS will continue to consult with the Virginia Indian tribes to enhance, strengthen, and appropriately respect and interpret the earliest human presence at Jamestown Island.

The NPS and APVA will continue this consultation throughout the Jamestown Project on a government-to-government basis. This special legal relationship is outlined in an April 29, 1994 memorandum from the President to the heads of executive departments and agencies. In keeping with this mandate and the provisions of NEPA, the NPS and APVA will consult with American Indian groups on planning and management activities that affect their historical connection with Jamestown. The NPS and APVA will develop and accomplish their programs in ways that reflect respect for the beliefs, traditions, and other cultural values of the tribes with ancestral ties to Jamestown. Consultation with these groups will continue in the future, helping to improve

understanding and achieve common goals during the implementation of this DCP/EIS.

Because of Jamestown's long human history and known association with nearby tribal communities, some minimal potential for discovery of human remains and associated items of cultural patrimony exists. The Native American Graves Protection and Repatriation Act (NAGPRA) addresses the rights of tribes and the consultation procedures regarding certain human remains and affiliated cultural items.

To comply with the provisions of the act and its implementing regulations (43 CFR 10), NPS managers will establish a prompt and effective notification system to consult with concerned groups regarding discovery of human remains and associated objects. Managers will deal with such burials on a case-by-case basis with informed awareness of tribal concerns. Burials and associated objects will be afforded the greatest respect, and the National Park Service and APVA will consult with the tribes regarding remains associated with these groups. A NAGPRA implementation plan will be developed to include strategies for discussing archaeological investigations and inadvertent discoveries with the Virginia Council of Indians and the United Indians of Virginia.

5.2.5 Consultation with the African-American Community

Because Jamestown is recognized as the first landing place for Africans coming to an English colony in North America (1619), efforts have been made specifically to gather perspectives from the African-American community about Jamestown and its history, including experiences of free and enslaved Africans and African-Americans. In addition to the stakeholder meeting held to gather perspectives from the African-American community, various discussions have been held to gather their input, particularly on the interpretive themes and how they can best be reflected in the proposed facilities. These discussions included a meeting with the NPS

Jamestown Project director on April 23, 2001, and a round table discussion at Hampton University on May 16, 2001. Brad Grant, the coordinator and facilitator of these discussions, is a member of the African-American community and a sub-consultant to the architectural/engineering team for the Jamestown Project. He is also an architect and chairman of the School of Architecture at Hampton University.

Comments received at the stakeholder meetings, public meetings, and round table discussions have focused mainly on how the African and African-American story is told at Jamestown. As with the American Indian representatives, comments related to proposed facilities have been limited. Although the Jamestown Project does not focus on how stories will be told, these comments have been carefully considered by the interpretive planners (Haley Sharpe Design) and will be addressed during future phases of the project related to interpretive and exhibit planning.

The NPS and APVA expect to present the Preferred Alternative to interested groups and individuals from the African-American community during the public comment process of this DCP/EIS, and to the Williamsburg/James City County chapter of the National Association for the Advancement of Colored People, for their comments.

5.2.6 Public Meetings

Early in the planning process, active members of the community and NPS leadership strongly encouraged the planning team to hold a series of public meetings to inform people of the project and gain public input once preliminary design alternatives had been developed. A total of four public meetings were held. The first two meetings were held in October 2000 at Jamestown Island to introduce the concept of enhancing research and educational opportunities, improving the visitor experience, and protecting the collections at Jamestown (Table 5-6). Some of the visioning concepts were also presented. Those attending the public meeting were asked for their reaction to making

changes on the Island in general and for their views regarding potential alternative concepts.

Approximately 35 people attended these two public meetings. In general, comments reinforced views expressed during the scoping process. Most of the interest and concern centered on interpretation, what stories would be told, and how. Points that were emphasized pertaining to the physical changes included maintaining the tranquil nature and aesthetics of the Island; the need to reduce visitor confusion between Jamestown Island, the original site, and Jamestown Settlement, the living history museum; and the need for the NPS and APVA to work together (pool resources) with the Jamestown Settlement for joint facilities, programs, and tickets. Providing a gateway to orient the visitor to all of Jamestown (both the Island and the Settlement) was requested. All comments were noted and reported back to the design team to be taken into account when designing the preliminary alternatives. Appendix C provides a full list of comments received at the public meetings.

The second series of public meetings were held in May 2001 at the Williamsburg Community Building (Table 5-6). Five preliminary alternatives (including the No Action Alternative) were presented, and those in attendance were asked to comment on the elements of each. Approximately 45 people attended these two meetings. Comments were similar to those obtained at the first set of public meetings, the majority of which focused on the need for coordination with the Jamestown Settlement. Other comments and concerns included keeping new Neck of Land facilities seasonal; considering the impact of the Neck of Land facilities on the residents of Neck-O-Land Road and on the water quality of the area; the addition of docks and boat traffic within the narrow passage of Back River; keeping the APVA and NPS collections together on the Island; and limiting vehicular traffic on the Island to maintain the tranquility and sacredness of the historic site. All comments were noted and reported back to the design team for consideration.

Appendix C contains an analysis of public comments received at these scoping meetings.

Table 5-6: Public Meeting Information

Item	Date	Summary
Newsletter 1	September 2000	Provided an overview of the Jamestown Project and the planning process. Requested comments and announced public meeting.
Notice of Public Meeting 1	September 3 and 4, 2000	Published in local newspapers (Richmond Times-Dispatch, Daily Press, Virginia Gazette) 30 days prior to the meetings.
Public Meeting 1	October 3, 2000	Two sessions at Jamestown Island Visitor Center: 1 to 4 p.m. and 6 to 9 p.m.
Newsletter 2	April 2001	Presented the Jamestown Island interpretive concepts and the preliminary alternatives. Requested comments and announced public meeting.
Notice of Public Meeting 2	April 1 and 2, 2001	Published in local newspapers (Richmond Times Dispatch, Daily Press, Virginia Gazette) 30 days prior to the meetings.
Public Meeting 2	May 1, 2001	Two sessions at the Williamsburg Community Building: 1 to 4 p.m. and 6 to 9 p.m.

5.2.7 Other Public Involvement Activities

To supplement the work of the public meetings and stakeholder discussions, two newsletters were distributed to interested individuals updating them on the progress of the planning process. In addition, a project electronic mailbox was established on the APVA's Web site (www.apva.org). Finally, numerous meetings were held with individuals, educational organizations, resource groups, and others to exchange ideas and information on the project.

- Identifying natural, cultural, and social resources that may provide educational, interpretive, and recreational opportunities within the project area.

Relevant local, state, and federal agencies and regional institutions have been notified of public meetings; invited to comment on material presented in newsletters; and invited to provide comments and recommendations on and information for this DCP/EIS.

5.3 INTERAGENCY CONSULTATION

Local, state, and federal resource and regulatory agencies and organizations have also participated in the planning process. The primary purpose of these consultations has been to exchange and discuss technical information. Specifically, these formal and informal meetings have aided the planning team in:

- Identifying potential "fatal flaws" in project development;
- Characterizing key regulatory issues; and

5.3.1 Consultations with the Advisory Council on Historic Preservation and the Virginia Department of Historic Resources

Section 106 of the National Historic Preservation Act (NHPA) of 1966 (16 USC 470, et seq.) requires that federal agencies with direct or indirect jurisdiction consider the effect of undertakings on properties listed on the *National Register of Historic Places* and allow the Advisory Council on Historic Preservation (ACHP) and the State Historic Preservation Officer (SHPO) the opportunity to comment. Toward that end, the NPS and APVA have worked, and will continue to work, with the Virginia Department of Historic Resources and the Advisory Council to

meet the requirements of 36 CFR 800 and the September 1995 programmatic agreement among the National Conference of State Historic Preservation Officers, the Advisory Council on Historic Preservation, and the National Park Service. This agreement requires the NPS to work with the SHPO and the ACHP in planning and design of new and existing NPS areas. The agreement also provides for the latter two agencies to review development projects during key stages. Because this is a project jointly undertaken by the National Park Service and the APVA as primary partners in the Jamestown Project, they have together consulted with the SHPO and the ACHP.

Both the APVA and NPS properties are listed on the *National Register of Historic Places* as National Historic Sites. To ensure that any proposals, which could potentially affect these properties listed on the *National Register*, comply with the provisions of Section 106, the ACHP and the SHPO were invited to participate early in the planning process. On October 24, 2000, the National Park Service and APVA held an initial scoping meeting with regulatory agencies, including both the Advisory Council on Historic Preservation and the Virginia Department of Historic Resources. Representatives of the SHPO have participated in core planning efforts, including the presentation of draft alternatives, and, along with the ACHP, have had an opportunity to review and comment on the Draft DCP/EIS.

On August 24, 2001, APVA and NPS representatives met with Ethel Eaton of the Virginia Department of Historic Resources to discuss compliance issues related to the Jamestown Project. Those issues included the archaeological compliance needs for the APVA property; potential impacts of the addition to the Jamestown Rediscovery™ Center proposed in Alternative B; and the construction proposed near the Ludwell site in all of the alternatives. Ms. Eaton brought examples of programmatic agreements, discussed their content, and outlined what the planning team needed to do. That discussion focused on the need for any

construction-related excavation to be very closely supervised by the APVA archaeologists. This supervisory approach applies to NPS lands as well. Prior to any ground-disturbing action by the NPS or APVA, a professional archaeologist will determine the need for any additional archaeological inventory or data recovery.

In another meeting, on September 7, 2001, the project team discussed with Ms. Eaton the procedure to be followed for compliance with Section 106 of the NHPA. Since time was of the essence, Ms. Eaton suggested that rather than combine the NEPA and 106 compliance documents, the 106 compliance documentation could be prepared through a programmatic agreement.

In early December 2001, Karen Rehm, Chief Historian with Colonial NHP, consulted with Ms. Eaton on the development of a draft programmatic agreement. Based upon this consultation it was decided that a four-way programmatic agreement for the implementation of the preferred alternative should be developed between the APVA, NPS, SHPO, and Advisory Council for Historic Preservation once the DCP/EIS is reviewed by both the Advisory Council and the SHPO. This programmatic agreement is currently under review by all agencies involved, and the final signed programmatic agreement will be appended to the Record of Decision.

On April 18, 2002, the alternatives were presented to Ms. Eaton for her input on the proposals and impacts. Martha Catlin with the Advisory Council was invited but could not attend. She recommended that the mitigation include documenting the resource and interpreting what was lost. These recommendations were incorporated into the document. She expressed her satisfaction with the archaeological documentation that has already been provided and the documents that are forthcoming.

The National Park Service has already completed three major archaeological inventories: the *Jamestown Archaeological Assessment*, which surveyed

the NPS land on most of Jamestown Island; the 2000 Phase I survey of the area near the existing visitor parking lot, which uncovered a second-quarter 17th century site and resulted in the selection of another location for the Visitor Center proposed in Alternatives B and E; and the Phase I survey “east of New Towne” (Orchard Run), which identified several 17th, 18th, and 20th century sites as well as an archaeologically “sterile” site where the Agricultural exhibit area is proposed in all the alternatives. The *Cultural Landscape Report* (OCULUS 2002) for Jamestown Island, the Glasshouse area, and Neck of Land is nearly completed. The National Register documentation for Jamestown and the Glasshouse Area is in draft and identifies the contributing and non-contributing resources based upon the previously mentioned research projects. Prior to the record of decision, the National Register staff and the SHPO staff will review the draft document.

On April 29, 2002, a meeting was held at Jamestown to discuss the post-World War II/Mission 66 landscape and its significance with Lily Richards and Bryan Green, from the SHPO; Shaun Eyring, Historical Landscape Architect, NPS; Lucy Lawliss, Historical Landscape Architect, NPS; Robert McGinnis, Matt Whitaker, and Benjamin Ford from Oculus, the contractors preparing the cultural landscape report; park and APVA staff; and staff from Carlton Abbott and VHB. The consensus of the group was that the entire island is a designed landscape with a high level of integrity from the post-WWII/Mission 66 periods. Its significance is as an outstanding example of large-scale park planning and design at the beginning of Mission 66 and its association with significant individuals, including J.C. Harrington, Dr. John Cotter, Charles Peterson, and Stanley Abbott. The relationship of the archaeological and historical research conducted in the 1930s and 1950s that determined the interpretation of the site makes it a major site. While the landscape is significant, individual elements may contribute to the overall significance of the design but are not necessarily significant on their own merit. In developing the Interpretive Plan for

the APVA and NPS property, cumulative impacts will be considered to avoid adverse impacts on the landscape. As a result of this meeting, a Determination of Eligibility for the post-WWII/Mission 66 landscapes identifying the contributing and non-contributing elements will be reviewed by the SHPO with written concurrence prior to the record of decision. Verbal concurrence was received at the meeting. Because the original intent was to accurately interpret the archaeological discoveries and material culture, mitigation of the impacts will include retaining the original purpose of the landscape element but based upon recent research and using modern technology as appropriate.

Any additional studies identified as necessary would be carried out in conjunction with construction and would meet the requirements of the SHPO, as well as the NPS and/or APVA, as appropriate. Any large-scale archaeological investigations would be undertaken in consultation with the SHPO.

5.3.2 Consultation with Agencies Related to Threatened and Endangered Species

Section 7 of the Endangered Species Act of 1973, as amended (16 USC 1531 et seq.) requires all federal agencies to consult with the U.S. Fish and Wildlife Service (FWS) to ensure that any action authorized, funded, or carried out by the agency does not jeopardize the continued existence of federally-listed species or critical habitat. NPS management policies also require cooperation with appropriate state conservation agencies to protect state-listed and candidate species of special concern within park boundaries. The Virginia Department of Game and Inland Fisheries (VDGIF) is a consulting agency under the U.S. Fish and Wildlife Coordination Act (48 Stat. 401, as amended; USC 661 et seq.), providing environmental analysis of projects or permit applications coordinated with the Virginia Department of Environmental Quality; the Virginia Department of Conservation and Recreation, Division of Natural Heritage (VDNH); the Virginia

Marine Resources Commission; the Virginia Department of Transportation; the U.S. Army Corps of Engineers; and other state and federal agencies.

At the onset of the Jamestown Project, the planning team contacted the VDGIF, the Virginia Department of Agriculture and Consumer Services, VDNH, and the FWS via letter to ascertain the presence of any state- or federally-listed rare, threatened, or endangered species within or adjacent to the Jamestown Project area. Agency responses as well as the results of the VDNH survey for rare, threatened, and endangered species are included within the “Rare, Threatened, and Endangered Species” section of Chapter 3 (see Appendix F for responses).

As noted below, state and federal regulatory agencies were brought into the planning process early because of the scope of and issues related to the Jamestown Project. Consultation and coordination between planning team members and the FWS, VDGIF, and VDNH included not only meetings and letters, as discussed below, but also continual e-mails and phone calls. By having the constant input of these agencies, the National Park Service and APVA were able to make well-informed decisions related to potential impacts to rare, threatened, and endangered species.

The pedestrian/bicycle path alignment and Jamestown Island boat dock location proposed in Alternative B reflect decisions made with various compliance groups and APVA and NPS representatives to ensure the protection of the bald eagle and the sensitive joint-vetch (discussed in the “Rare, Threatened, and Endangered Species” sections of Chapter 3 and Chapter 4). These compliance groups included the endangered species coordinator, U.S. Fish and Wildlife Service; Virginia Department of Conservation and Recreation, Division of Natural Heritage; College of William & Mary, Center for Conservation Biology; the statewide eagle coordinator, Virginia Department of Game and Inland Fisheries, Wildlife Biology Division; and the NPS endangered species coordinator.

Because of the potential impacts of the Preferred Alternative (Alternative B) on the federally-listed species (bald eagle and sensitive-joint vetch), the APVA and NPS initiated formal consultation under Section 7 of the Endangered Species Act. The Virginia Department of Conservation and Recreation, Division of Natural Heritage was hired by the APVA and NPS to prepare a Biological Assessment to address impacts of the Preferred Alternative on these species. This document was submitted to FWS at the end of October 2002, thus formal consultation was initiated. The Biological Opinion (as prepared by FWS) will be appended to the Record of Decision prior to signing. In addition, throughout the implementation of the Jamestown Project, the planning team will continue to consult with these agencies to ensure the protection of both the bald eagle and the sensitive joint-vetch, as well as other species of special concern within the project area.

Table 5-7 lists the consultation history for both the bald eagle and the sensitive joint-vetch, and “Chapter 2: Alternatives” includes a discussion of the alternative trail alignments modified to avoid/minimize impacts to species’ habitat.

5.3.3 Consultation with Other Regulatory Agencies

Beyond the individual agency meetings listed above and in the “Project Scoping” section, two agency scoping meetings were held at the Yorktown Visitor Center on October 24, 2000 and April 9, 2001. Agencies in attendance included: U.S. Fish and Wildlife Service, Virginia Department of Conservation and Recreation, U.S. Coast Guard, Chesapeake Bay Local Assistance Department, Virginia Department of Historic Resources, James River Association, Virginia Department of Environmental Quality, National Oceanic and Atmospheric Administration, and the Advisory Council on Historic Preservation.

Table 5-7: Bald Eagle and Sensitive Joint-Vetch Consultation History

Item	Date	Attendees	Summary
Meeting 1	October 25, 2000	Consultants, NPS, FWS, VDNH	Met at the location of the recently discovered sensitive joint-etch population.
Meeting 2	February 22, 2001	Consultants, NPS, FWS	Met at FWS Virginia office to discuss Jamestown Project and guidelines/recommendations for bald eagles and sensitive joint-vetch.
Meeting 3	March 5, 2001	Consultants, APVA, NPS, FWS, VDGIF	Met at Jamestown to discuss the new eagle nest and its implications on current Jamestown operations and the Jamestown Project.
Biological Opinion for Operations	April 11, 2001		Located in Appendix F.
Meeting 4	May 2, 2001	Consultants, APVA, NPS, VDNH	Met at Jamestown to discuss the preparation of the Biological Assessment for the Jamestown Project.
Meeting 5	June 22, 2001	Consultants, NPS, FWS, VDGIF, VDNH, Center for Conservation Biology	Met at Jamestown to facilitate information gathering for preparation of the Biological Assessment for the Jamestown Project.
Meeting 6	August 27, 2001	Consultants, NPS, FWS, VDNH	Met at Jamestown to discuss comments on the draft Biological Assessment.
Meeting 7	October 2, 2001	Consultants, NPS, FWS	Met at FWS Virginia office to discuss trail alignment and boat dock locations and their impacts to the bald eagle and the sensitive joint-vetch.
Meeting 8	October 18, 2001	Consultants, NPS, APVA, VDNH, University of Maryland doctoral student	Met at the location of the sensitive joint-vetch population to discuss trail alignment and its impact on the sensitive joint-vetch habitat.
Meeting 9	September 20, 2002	Consultants, NPS, FWS, VDNH	Met at Yorktown to discuss completion of the Biological Assessment and subsequent Biological Opinion.
Biological Assessment for the Jamestown Project DCP	October 2002		Document submitted to FWS to initiate formal consultation under Section 7 of the Endangered Species Act.

The first meeting was held at the onset of the Jamestown Project. The scope and magnitude of the project warranted planning team members to consult with local, state, and regulatory agencies early in the process. Based on the presentation of the Jamestown Project goals and concepts, agency representatives stated their preliminary concerns, offered guidance on what compliance actions would be required, and provided a primary point of contact for their agencies.

At the second meeting, the Jamestown Project planning team presented the planning process, project purpose and need, the *Jamestown Island Interpretive Plan* (Haley Sharpe Design 2001b), the environmental constraints of the project site, and the preliminary concept alternatives to agency representatives. Comments, concerns, and discussions included boat access and coordination with Chippokes Plantation State Park; the impact to the bald eagle population at Jamestown, as well as to the sensitive joint-vetch; location of collections outside the 500-year flood zone; using remote parking locations; impacts to the Colonial Parkway; tour boat types, dock placement, and proposed pedestrian bridge clearance; and Chesapeake Bay impacts.

Both the APVA and the National Park Service will continue coordinating and consulting with appropriate local, state, and federal regulatory agencies throughout the implementation of the Jamestown Project DCP/EIS.

5.4 DOCUMENT REVIEW, LIST OF RECIPIENTS, AND RESPONSE TO COMMENTS

5.4.1 Review Process for Draft DCP/EIS

NEPA is the national charter for environmental protection. Title 1 of the law requires that federal agencies plan and carry out their activities “so as to protect and enhance the quality of the environment. Such activities shall include those directed to

controlling pollution and enhancing the environment.” The latter is accomplished through the *Environmental Impact Statement* included in this document. The DCP/EIS presents an overview of the design alternatives and the potential impacts resulting from the proposed actions for each alternative. More detailed plans would be developed, as appropriate, for individual actions at the time of implementation. In addition, the requirements for this DCP/EIS will be completed when the NPS Regional Director, Northeast Region, signs the Record of Decision.

In implementing this DCP/EIS for the Jamestown Project, the National Park Service will comply with all applicable federal, state, and local legislation and orders. Laws and policies that apply to planning and implementation of this DCP/EIS are described in detail in Table B-1 (Appendix B). In developing this document, preparers have consulted with the appropriate federal, state, and local agencies, as described above.

The *Draft Development Concept Plan/Environmental Impact Statement* for the Jamestown Project was available for public review for 60 days. Copies of the document were sent to the individuals, agencies and organizations listed under “Section 5.4.2: List of Recipients.” Approximately 30 days into this review, public meetings were held on September 12, 2002 to solicit comments and inform the public of the Preferred Alternative. Press releases and public notices were used to announce the availability of the document as well as the public meeting times. Approximately 60 people attended the meetings, while 91 formal comments were received via email, letter, or at the public meeting.

This *Final Development Concept Plan/Environmental Impact Statement* responds to and incorporates the public comments received on the draft document. Substantive comments are provided below under “Section 5.4.3: Response to Comments.” After a 30-day no-action period, a Record of Decision (ROD) will be prepared to document the selected

alternative and set forth any stipulations for implementation, thus completing the requirements for the National Environmental Policy Act of 1969, as amended.

5.4.2 List of Recipients

Copies of the *Jamestown Project Draft DCP/EIS* were distributed to the following government officials and agencies, non-governmental organizations, consultants and businesses, and individuals. Recipients were mailed either a hard copy of the document ⁽¹⁾, a digital copy of the document ⁽²⁾, or the “Executive Summary” from the document ⁽³⁾.

Federal and State Elected Officials

George Allen, U.S. Senator¹
William Barlow, Virginia House of Delegates¹
Jo Ann Davis, U.S. House of Representatives¹
John H. Hager, Assistant to the Governor for Commonwealth Preparedness²
Tim Kaine, Lieutenant Governor of Virginia¹
Jerry Kilgore, Attorney General of Virginia¹
William H. Leighty, Governor’s Chief of Staff²
Thomas K. Norment, Jr., Virginia Senator¹
Melanie Rapp, Virginia House of Delegates¹
John Warner, U.S. Senator¹
Mark Warner, Governor of Virginia¹

Tribal Governments

Cherokee Indian Tribe¹
Chickahominy Indian Tribe¹
Eastern Chickahominy Indian Tribe¹
Indians of Person County¹
Mattaponi Indian Tribe¹
Monacan Indian Nation¹
Nansemond Indian Tribe¹
Pamunkey Indian Tribe¹
Rappahannock Indian Tribe¹
Virginia Indian Tribal Alliance¹
United Indians of Virginia¹
Upper Mattaponi Indian Tribe¹

Federal Agencies

Advisory Council on Historic Preservation¹
Federal Transit Administration¹
National Marine Fisheries Service³
National Park Foundation²
U.S. Army Corps of Engineers¹
U.S. Army Training Center at Fort Monroe²
U.S. Army Transportation Center at Fort Eustis²
U.S. Coast Guard Training Center, Yorktown, Virginia²
U.S. Department of Commerce, National Oceanic and Atmospheric Administration³
U.S. Environmental Protection Agency, Region 3¹
U.S. Fish and Wildlife Service¹
U.S. Geological Survey, Water Resource Division¹

State Agencies

Chesapeake Bay Local Assistance Department¹
Department of Agriculture and Conservation¹
Department of Conservation and Recreation¹
Department of Conservation and Recreation Division of Natural Heritage¹
Department of Environmental Quality Division of Air Program¹
Division of Waste Program¹
Division of Water Program¹
Office of Environmental Impact Review¹
Department of Forestry¹
Department of Game and Inland Fisheries¹
Department of Health¹
Department of Historic Resources¹
Department of Mines, Minerals, and Energy Division of Mineral Resources¹
Department of Transportation Environmental Division¹
Transportation Planning Division¹
Library of Virginia¹
Marine Resources Commission¹

Local Elected Officials

James City County Administrator¹
James City County Board of Supervisors¹
Surry County Administrator¹
Surry County Board of Supervisors¹
Williamsburg City Council¹

York County Administrator¹
York County Board of Supervisors¹
Jeanne Zeidler, Mayor of Williamsburg¹

Local Agencies

Berkeley Middle School³
Clara Byrd Baker Elementary School³
Colonial Soil and Water Conservation District¹
Gloucester County Library¹
Hampton City Library¹
Hampton Roads Planning District Commission¹
James City County Department of Development Management¹
James City County Fire Department¹
James City County Library¹
James City County Police Department¹
James City County School System¹
James City Service Authority¹
Jamestown High School³
John D. Rockefeller, Jr. Library¹
King and Queen County Library¹
King William County Library¹
New Kent County Library¹
Newport News City Library¹
Suffolk Planning Department¹
Surry County Library¹
Williamsburg Library¹
Williamsburg Regional Library¹
York County Public Library¹

Nongovernmental Organizations

Alabama A&M University¹
Alliance for the Chesapeake Bay¹
American Historical Association¹
Association for the Preservation of Virginia Antiquities¹
Boundary End Farm³
Boy Scouts of America³
Center for Watershed Protection¹
Chesapeake Bay Foundation¹
Chesapeake Bay Program¹
College of William and Mary¹
Center for Archaeology¹
Center for Conservation Biology¹
Colonial Williamsburg Foundation¹

Florida Museum of Natural History²
Friends of Green Spring¹
Friends of the Powhatan¹
Frostburg State University³
Greater First Colony³
Green Spring Foundation¹
Hampton Roads Bird Club³
Hampton University¹
Institute for Policy Research³
James River Association¹
Jamestown-Yorktown Foundation¹
Mariners Museum³
Museum of International Folk Art³
National Association for the Advancement of Colored People¹
National Museum of Natural History²
National Parks Conservation Association²
National Trust for Historic Preservation¹
Norfolk Southern Corporation¹
Omohundro Institute of Early American History and Culture²
Patrick Henry Memorial Foundation²
Peabody Essex Museum²
Sierra Club, Virginia Chapter³
Smithsonian Institution²
St. John Baptist Church, Williamsburg, Virginia³
State University of New Jersey²
Temple University³
Thomas Jefferson Foundation²
Tredegar National Civil War Foundation²
University of Maine²
University of Missouri²
University of New Orleans²
University of Richmond¹
USS Arizona Memorial³
Virginia Foundation for the Humanities²
Virginia Institute of Marine Science¹
Virginia Tourism Corporation²
Watermen's Museum³
Williamsburg Area Chamber of Commerce¹
Williamsburg Area Convention & Visitors Bureau¹
Williamsburg Bird Club³
Williamsburg First Baptist Church³
Williamsburg Land Conservancy²

Consulting/Business

Cambridge Systematics¹
Carlton Abbott and Partners¹
Cultural Resources, Inc.²
Haley Sharpe Design, Inc.¹
Jamestown Explorer¹
Living History Associates, Ltd.²
Long & Foster Realtors³
McCardle Realty, Inc.³
Stumpf Associates, Inc.²
SunTrust Bank, Williamsburg, Virginia²
URS, Inc.¹
Vanasse Hangen Brustlin, Inc.¹
Vectre Corporation³
WRFC Consulting & Associates²

Individuals

Susan Allen³
Hunter Andrews³
L. Ray Ashworth³
Dale Baltrus³
Sandi J. Brewster-Walker²
Michael Brown³
Charles Bryan, Jr.³
Carolee S. Bush³
Susan Caples³
Stuart Connock³
Bruce Craig³
Linwood Custalow³
Mike Cuthbert³
Mary Lee Darling³
Don and Annette Davis³
V.E. Dickinson³
Susie Dorsey³
Judith Dresser³
Michael Foreman³
Roxane Gilmore³
John F. Hagee³
Jim Hamrick³
Robert Hatcher, Jr.³
Loretta Hannum³
Camille Hendrick³
Joyce Hobson³
Dick Houston¹
W. Howell³

Carter Hudgins³
Alex Kuras³
C. Thomas Long³
Martha Marks³
Norman Mason³
Trist B. McConnell³
Mary Minor³
Dr. Kent Montford³
Chesley Moroz³
Grant Mouser³
Douglas Murrow³
Reed T. Nester³
Alain Outlaw¹
Oliver Perry³
Joe Poole²
Andrew Petkofsky³
William C. Porter, Jr.³
Arthur Schmidt²
Rona Shuman Kiley²
M.O. Smith³
Marvin Sowers³
Jackie and Dean Spangler³
Thad Tate³
Rodney Taylor³
Edgar Toppin³
Hunter Vermillion¹
Lorena S. Walsh²
Mike Westfall²
Robert Wharton³
Patricia Williams³
Jane Yerkes²

5.4.3 Response to Comments

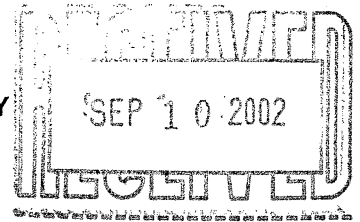
As noted above, the *Jamestown Project Draft Development Concept Plan / Environmental Impact Statement* was available for a 60-day public review. During that time, federal, state, and local agencies, as well as organizations and individuals had the opportunity to comment on the Preferred Alternative (proposed action), alternatives to that action, and environmental, cultural, and socioeconomic impacts of the various alternatives.

Approximately 18 federal, state, and local agencies and organizations provided comments on the document. Letters and emails were received from the U.S. Environmental Protection Agency, Region III; U.S. Fish and Wildlife Service; U.S. Army Corps of Engineers; U.S. Coast Guard; Federal Highway Administration; Virginia Department of Conservation and Recreation; Virginia Department of Environmental Quality; Virginia Department of Agriculture and Consumer Services; Virginia Department of Health; Virginia Department of Transportation; Virginia Marine Resources Commission; Virginia Department of Mines, Minerals, and Energy; Virginia Department of Forestry; Chesapeake Bay Local Assistance Department; Virginia Department of Historic Resources; Virginia Tourism Corporation; James City County; James River Association; and the Williamsburg Area Bicyclists. In addition, approximately 76 individuals provided formal comments: 48 of which were part of a campaign to allow non-motorized personal watercraft access at Jamestown.

The following pages provide full copies of the letters received from federal, state, and local agencies and organizations. In addition, responses to substantive comments from these letters and other submittals are provided in table form. Where applicable, comment/response tables are provided immediately following the appropriate printed letter. Comments received from individuals have not been printed in full; only those comments requiring a response are provided in the comment/response tables, which are presented alphabetically.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029



SEP 03 2002

Mr. Alec Gould
Superintendent
Colonial National Historic Park
P.O. Box 210
Yorktown, Virginia 23690

Re: The Jamestown Project Draft Development Concept Plan/Environmental Impact Statement

Dear Mr. Gould:

In accordance with the National Environmental Policy Act (NEPA) of 1969 and Section 309 of the Clean Air Act, EPA has reviewed the Draft Environmental Impact Statement (DEIS) for the above referenced project. EPA has assigned this DEIS a rating of LO-1 (Lack of Objections/Adequate), which indicates that we have no objections to the proposal and that the DEIS adequately addressed the environmental impacts of the preferred alternative. A copy of EPA's ranking system is enclosed for your information.

Thank you for the opportunity to review and comment on this project. If you need additional assistance, the staff contact for this project is Karen DelGrosso; she can be reached at 215-814-2765.

Sincerely,

A handwritten signature in black ink, appearing to read "William Arguto".

William Arguto
NEPA/Federal Facilities Team Leader

Enclosure



SUMMARY OF RATING DEFINITIONS AND FOLLOW UP ACTION*

Environmental Impact of the Action

LO--Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC--Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO--Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU--Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1--Adequate

The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2--Insufficient Information

The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3--Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of the Federal Actions Impacting the Environment



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
6669 Short Lane
Gloucester, VA 23061



October 1, 2002

Memorandum

To: Superintendent, Colonial National Historical Park, U.S. National Park Service

From: Supervisor, Virginia Field Office, U.S. Fish and Wildlife Service

Subject: The Jamestown Project Draft Development Concept Plan/Environmental Impact Statement

The U.S. Fish and Wildlife Service (FWS) has reviewed the Jamestown Project Draft Development Concept Plan/Environmental Impact Statement (DEIS). This letter is submitted in accordance with provisions of the National Environmental Policy Act (NEPA) of 1969 (83 Stat. 852; 42 U.S.C. 4321 et seq.), the Fish and Wildlife Coordination Act (FWCA) of 1958 (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), and the Migratory Bird Treaty Act (MBTA) of 1918 (40 Stat. 755; 16 U.S.C. 703-712). Comments addressing the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) will be submitted in a separate biological opinion.


Project alternatives B, C, and E propose a multimodal transportation system, which will incorporate a boat taxi running approximately every 30 minutes within a quarter of a mile and in clear line of sight of a bald eagle nest that has been active in both the 2000/2001 and 2001/2002 breeding seasons. All three aforementioned alternatives also include an electric tram system, which is capable of transporting visitors to the same areas as the boat. The FWS believes that the boat taxi may either dissuade the eagles from using the nest again or disturb the eagles if they do choose to nest there. The FWS does not believe the NPS has demonstrated the need for both a boat taxi and an electric tram system to transport visitors. We recommend the NPS eliminate the proposed boat taxi or select alternative D.

In addition to electric trams and a boat taxi, alternatives B and E propose the construction of a long pedestrian/bike boardwalk, which, in each case, will virtually bisect the large and relatively pristine marsh at Neck of Land. The FWS is concerned about the possible invasion of *Phragmites australis*, which typically invades sites with disturbed soils, such as construction sites. Once established, *P. australis* can colonize adjacent marshes, displacing native wetland vegetation and lowering floristic diversity. The FWS does not believe the NPS has demonstrated a need for the boardwalk and we recommend the boardwalk not be constructed. Should the NPS choose an alternative that includes construction of the boardwalk, we recommend a *P. australis* monitoring and control plan be prepared prior to initiation of construction in the marsh.

The FWS is concerned about the impacts to forested habitat that are likely to occur if the parking lot at Neck of Land is constructed. Alternatives B, C, and E would adversely impact more than five acres of forested habitat. We reference Executive Order 13186 entitled, Responsibilities of Federal Agencies to Protect Migratory Birds (FR Vol. 66, No. 11, Jan. 17, 2001). This Executive Order states in part that federal agencies shall "support the conservation intent of the migratory bird conventions by integrating bird conservation principles, measures, and practices into agency activities and by avoiding or minimizing, to the extent practicable, adverse impacts on migratory bird resources when conducting agency actions" and "restore and enhance the habitat of migratory birds, as practicable." The FWS recommends habitat restoration/enhancement to offset impacts to migratory birds and other fish and wildlife resources. Actions such as habitat restoration, reforestation, or establishment of vegetated buffers along field edges are some of many options that should be considered.

The FWS recommends the DEIS clearly indicate the NPS will conduct a separate environmental assessment of the actual 2007 anniversary celebration, which may include large amounts of pedestrian and vehicular (land, air, or water) traffic, and other one-time events that cannot be foreseen this far in advance.

The FWS appreciates this opportunity to comment on the DEIS. If you have questions, or for further coordination, please contact Ms. Jolie Harrison at (804) 693-6694, extension 208.



Karen L. Mayne

cc: NPS-COLO, Yorktown, VA (Tom Nash)
NPS-COLO, Yorktown, VA (Chuck Rafkind)
NPS-COLO, Yorktown, VA (Sandy Rives)
VDCR, DNH, Richmond, VA (Sandra Erdle)
VHB, Williamsburg, VA (Nancy Barker)

Fish and Wildlife Service
Karen L Mayne

ID	Topic 1	Topic 2	Comment	Response
2.1	Alternatives	Water Taxi/Tours	<p>Project alternatives B, C, and E propose a multimodal transportation system, which will incorporate a boat taxi running approximately every 30 minutes within a quarter of a mile and in clear line of sight of a bald eagle nest that has been active in both the 2000/2001 and 2001/2002 breeding seasons. All three aforementioned alternatives also include an electric tram system, which is capable of transporting visitors to the same areas as the boat. The FWS believes that the boat taxi may either dissuade the eagles from using the nest again or disturb the eagles if they do choose to nest there. The FWS does not believe the NPS has demonstrated the need for both a boat taxi and an electric tram system to transport visitors. We recommend the NPS eliminate the proposed boat taxi or select alternative D.</p>	<p>Introduction of the boat to the interpretive experience will provide a unique interpretive experience at Jamestown. The location provides a different perspective of the Island and the stories at Jamestown. The APVA and NPS coordinated extensively with the U.S. Fish and Wildlife Service (FWS), the Virginia Department of Conservation and Recreation Division of Natural Heritage, and NPS staff to site the boardwalk and boat docks in locations which would minimize impacts to the bald eagle. Both have been relocated at least 950 feet from the nest. Additionally, formal consultation regarding these impacts is currently underway. The FWS is in the process of preparing the Biological Opinion which will be included in the Record of Decision for the Jamestown Project.</p>
2.2	Alternatives	Trails	<p>In addition to electric trams and a boat taxi, alternatives B and E propose the construction of a long pedestrian/bike boardwalk, which, in each case, will virtually bisect the large and relatively pristine marsh at Neck of Land. The FWS is concerned about the possible invasion of <i>Phragmites australis</i>, which typically invades sites with disturbed soils, such as construction sites. Once established, <i>P. australis</i> can colonize adjacent marshes, displacing native wetland vegetation and lowering floristic diversity. The FWS does not believe the NPS has demonstrated a need for the boardwalk and we recommend the boardwalk not be constructed. Should the NPS choose an alternative that includes construction of the boardwalk, we recommend a <i>P. australis</i> monitoring and control plan be prepared prior to initiation of construction in the marsh.</p>	<p>Your concerns have been noted. The NPS recognizes that <i>Phragmites</i> is an issue that needs to be dealt with, regardless of the proposed hike/bike boardwalk through the Neck of Land marsh. The NPS has recently completed an inventory of invasive species within Colonial NHP, which identified <i>Phragmites</i> as a primary target for monitoring and control. Both the APVA and NPS see the hike/bike boardwalk as a wonderful opportunity to educate visitors on the American Indian experience as well as the natural environment. The hike/bike boardwalk also provides a direct connection between the proposed Neck of Land facility and the Island, thus offering an alternative modes of transportation to the Island experience. Tribes consulted during the planning process are also excited about this aspect of the Jamestown Project. Therefore, in order to limit the invasion of <i>Phragmites</i> during construction, the NPS proposes to use resource-sensitive top-down construction.</p>

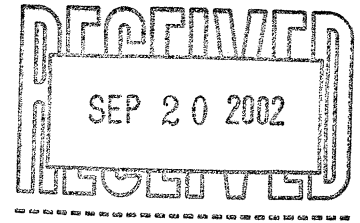
ID	Topic 1	Topic 2	Comment	Response
2.3	Alternatives	Parking/Neck of Land Facility	<p>The FWS is concerned about the impacts to forested habitat that are likely to occur if the parking lot at Neck of Land is constructed. Alternatives B, C, and E would adversely impact more than five acres of forested habitat. We reference Executive Order 13 186 entitled, Responsibilities of Federal Agencies to Protect Migratory Birds (FR Vol. 66, No. 11, Jan. 17,2001). This Executive Order states in part that federal agencies shall "support the conservation intent of the migratory bird conventions by integrating bird conservation principles, measures, and practices into agency activities and by avoiding or minimizing, to the extent practicable, adverse impacts on migratory bird resources when conducting agency actions" and "restore and enhance the habitat of migratory birds, as practicable." The FWS recommends habitat restoration/enhancement to offset impacts to migratory birds and other fish and wildlife resources. Actions such as habitat restoration, reforestation, or establishment of vegetated buffers along field edges are some of many options that should be considered.</p>	<p>As noted in the document, the Neck of Land parking facility would be phased in as spaces are removed from the existing Island parking lot due to the location of the replacement Visitor Center and bus drop-off. In order to mitigate for the removal of forested habitat at Neck of Land (not within the 100-foot buffer on the Neck of Land wetlands), the NPS would reforest and/or convert selected/identified fields to warm season grasses and shrub as outlined in the College of William and Mary Center for Conservation Biology's Field Diversity Plan for Colonial NHP. Any reforestation efforts would be consistent with the Chesapeake Bay Program and NPS riparian forest buffer goals.</p>
2.4	2007	2007	<p>The FWS recommends the DEIS clearly indicate the NPS will conduct a separate environmental assessment of the actual 2007 anniversary celebration, which may include large amounts of pedestrian and vehicular (land, air, or water) traffic, and other one-time events that cannot be foreseen this far in advance.</p>	<p>If necessary, the NPS will prepare an Environmental Assessment for the commemoration activities to be held in 2007.</p>



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
NORFOLK DISTRICT, CORPS OF ENGINEERS
FORT NORFOLK, 803 FRONT STREET
NORFOLK, VIRGINIA 23510-1096

September 16, 2002



Western Virginia Regulatory Section
(#02-R1698) Back River

Alec Gould, Park Superintendent
Colonial National Historical Park
P.O. BOX 210
Yorktown, VA

Dear Mr. Gould:

We have reviewed the Jamestown Project Draft Development Concept Plan/Environmental Impact Statement and have the following comments.

Table 1-1, under section 1.8, Regulatory, Management, and Legislative Considerations, needs to include Section 404 of the Clean Water Act (33 U.S.C. 1344) for any activities involving the discharge of dredged or fill material in all waters of the United States including not only navigable waters, but also inland rivers, lakes, and streams and their adjacent wetlands.

It appears that no fill in water or wetlands is proposed. Therefore, only Section 10 of the Rivers and Harbors Act will apply to the project. During our permit review, the probable effects of the proposal on the Public Interest will be evaluated. This evaluation is done trying to avoid, minimize, and compensate for unavoidable impacts. With this in mind, we have the following questions and comments.

- a. Why do all alternatives call for the construction of a new boardwalk from the Jamestown Island parking lot to the Visitor Center. Why can't the existing boardwalk be used and/or rehabilitated. In order to evaluate impacts to vegetation beneath the boardwalk, please provide the width and height of the structures.
- b. Has a survey for the sensitive joint vetch adjacent to the old road trace been done? If the survey shows an absence of the vetch, would continuing to use the old road trace minimize impacts to the marsh? Can the boardwalk be located over the old trace to minimize marsh impacts?
- c. The proposed boat dock and boardwalk should be located outside bald eagle protective zones to the maximum extent practicable. Furthermore, time of year restrictions to minimize construction and/or operation impacts of the boat docks and boardwalk should be evaluated. Formal Section 7 consultation will likely be required to address endangered species impacts.
- d. The Draft EIS describes a tram system through intertidal marsh. Is this tram proposed? Will it be on pilings or solid fill?

e. Will there be any dredging required for the proposed boat docking facilities?

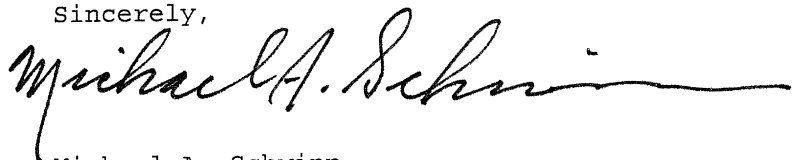
f. Wetlands located in impact areas may need to be accurately delineated in the field and surveyed onto project plans.

g. In general, does the proposed action include all appropriate and practicable steps to minimize adverse impacts to wetlands through project modification and permit conditions?

h. Does the proposed action include appropriate and practicable compensating mitigation requirements for all unavoidable adverse impacts to wetlands after minimization?

Thank you for this opportunity to comment. If you have any questions, please contact Peter Kube of my staff at (757) 441-7504.

Sincerely,

A handwritten signature in black ink, reading "Michael A. Schwinn". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Michael A. Schwinn
Chief, Western Virginia
Regulatory Section

Department of the Army, Norfolk District, Corps of Engineers
Michael A. Schwinn

ID	Topic 1	Topic 2	Comment	Response
3.1	Other	Editorial	Table 1-1, under section 1.8, Regulatory, Management, and Legislative Considerations, needs to include Section 404 of the Clean Water Act (33 U.S.C. 1344) for any activities involving the discharge of dredged or fill material in all waters of the United States including not only navigable waters, but also inland rivers, lakes, and streams and their adjacent wetlands.	This will be added to the table; however, the Jamestown Project DCP/EIS does not propose any discharge of dredged or fill material into waters of the United States.
3.2	Other	Editorial	It appears that no fill in water or wetlands is proposed. Therefore, only Section 10 of the Rivers and Harbors Act will apply to the project. During our permit review, the probable effects of the proposal on the Public Interest will be evaluated. This evaluation is done trying to avoid, minimize, and compensate for unavoidable impacts. With this in mind, we have the following questions and comments.	Comment noted. The need for a Section 10 permit is listed in Table 1-1.
3.3	Alternatives	Trails	a. Why do all alternatives call for the construction of a new boardwalk from the Jamestown Island parking lot to the Visitor Center. Why can't the existing boardwalk be used and/or rehabilitated. In order to evaluate impacts to vegetation beneath the boardwalk, please provide the width and height of the structures.	The existing boardwalk is not located at an appropriate height to allow for sunlight penetration to the wetland below, nor does the boardwalk allow for adequate water flow during storm surges. This could be corrected by rehabilitating in place; however, the location of the existing boardwalk does not provide the visitor with an expansive view of the site. By bringing visitors to the Observation Building on a boardwalk located on the western side of the structure, visitors would be able to see the Townsite and James River as they approach the site. In addition, removal of the concrete path and ramp along the eastern side of the existing Visitor Center would remove an existing impact to the cultural site located there.
3.4	Alternatives	Trails	b. Has a survey for the sensitive joint vetch adjacent to the old road trace been done? If the survey shows an absence of the vetch, would continuing to use the old road trace minimize impacts to the marsh? Can the boardwalk be located over the old trace to minimize marsh impacts ?	The Virginia Department of Conservation and Recreation Division of Natural Heritage has performed surveys for rare, threatened, and endangered species within the Jamestown Project site. Please see Section 3.3.2.11 for a summary of the results. Based on these observations, the last time the sensitive joint-vetch population was observed near the old road trace was in 2000. Formal consultation has occurred with the U.S. Fish and Wildlife Service (FWS) and the Biological Opinion will be attached to the signed Record of Decision. Based on discussions with FWS, as well as with the Virginia Department of Conservation and Recreation Division of Natural Heritage (VDNH) and NPS and academic experts, the proposed boardwalk through the Neck of Land marsh has been designed to avoid the last observed location of the plant population and the habitat identified by VDNH as the most suitable (i.e. along the banks of the old road trace). In addition, based on input from the Virginia Institute of Marine Science, the boardwalk would be located at an appropriate height to limit shading impacts on the wetland below. Also, by placing the boardwalk out in the marsh instead of above the old road trace, impacts on the bald eagle from the boardwalk traffic would be minimized.

Department of the Army, Norfolk District, Corps of Engineers
Michael A. Schwinn

ID	Topic 1	Topic 2	Comment	Response
3.5	Natural Resources	Natural Resources	c. The proposed boat dock and boardwalk should be located outside bald eagle protective zones to the maximum extent practicable. Furthermore, time of year restrictions to minimize construction and/or operation impacts of the boat docks and boardwalk should be evaluated. Formal Section 7 consultation will likely be required to address endangered species impacts.	Both informal and formal consultation has been conducted with the U.S. Fish and Wildlife Service to address potential impacts to both the bald eagle and the sensitive joint-vetch. State agencies and experts within the field have been consulted as well. The locations of the Island boat dock and the boardwalk across Neck of Land were determined and finalized based on these consultations. Time of year restrictions related to construction and operation have been addressed as well, not only for the dock and boardwalk, but for other aspects of the project which fall within the bald eagle protection zone. Please see sections 3.3.2.11, 4.3.2.9, and 5.3.2 for information related to existing conditions, potential impacts and mitigation, and consultation summaries.
3.6	Alternatives	General	d. The Draft EIS describes a tram system through intertidal marsh. Is this tram proposed? Will it be on pilings or solid fill?	The Jamestown Project Draft DCP/EIS does not propose a tram system through the intertidal marsh. The tram system would follow the existing roadways (Colonial Parkway and Loop Drive).
3.7	Alternatives	Water Taxi/Tours	e. Will there be any dredging required for the proposed boat docking facilities?	The sites identified for boat dock facilities are situated in deep water where previous docking facilities have been located. It is not anticipated that any dredging would be required for construction of these facilities.
3.8	Natural Resources	Natural Resources	f. Wetlands located in impact areas may need to be accurately delineated in the field and surveyed onto project plans.	Wetlands within the entire project area have been delineated and subsequently confirmed by the U.S. Army Corps of Engineers. Information pertaining to the wetlands (i.e. their location and assessment of functional values) is located in section 3.3.2.7. Figure 3-14 depicts the location of the delineated wetlands as well as other areas identified by the NPS as wetlands. Appendix F contains the confirmation letter from the U.S. Army Corps of Engineers dated January 24, 2002.

Department of the Army, Norfolk District, Corps of Engineers
Michael A. Schwinn

ID	Topic 1	Topic 2	Comment	Response
3.9	Natural Resources	Natural Resources	g. In general, does the proposed action include all appropriate and practicable steps to minimize adverse impacts to wetlands through project modification and permit conditions?	<p>The planning team has spent a considerable amount of time collecting data, consulting experts, and coordinating input from regulatory agencies through countless meetings in the development and critical review of four (4) action alternatives. Issues studied by regional/local experts include traffic safety, pedestrian flow, wetlands, threatened/endangered species, navigation, cultural resources, cultural aesthetics, landscape aesthetics, economics, air quality, noise, water quality, tree protection, and many others. The project team believes the preferred alternative, Alternative B, is a comprehensive attempt to balance protection of all of the above items, to include wetlands, while at the same time satisfying the overall project purpose of increasing the aesthetic/educational experience of the Jamestown Island visitor.</p> <p>In light of the NPS objective that would be satisfied under Alternative B, consideration was given to the minimization of work performed in wetlands/waters. Those steps taken include the use of pile-supported boardwalks and boat docks rather than the discharge of dredge or fill material. In addition, the boardwalks will be installed at such an elevation as to provide no expected loss of wetlands function, which will further minimize wetland impacts. The boardwalks proposed under Alternative B, on the other hand, will result in a higher degree of aerial cover of wetland habitat than the other alternatives. However, this higher level of coverage is dictated by the need to comply with the Endangered Species Act (again, an attempt to balance impacts to natural resources). For example, whereas the boardwalk crossing the Neck of Land marsh and Back River could be placed on fill material associated with the old road trace, impacts would occur to a colony of sensitive joint vetch and a nesting pair of bald eagles, both of which are listed species under protection of the Act. The avoidance of these protected resources requires the location of the boardwalk to utilize the open marsh rather than continuing on the old road trace.</p>
3.10	Natural Resources	Natural Resources	h. Does the proposed action include appropriate and practicable compensating mitigation requirements for all unavoidable adverse impacts to wetlands after minimization?	<p>Encroachment into wetlands resulting from the proposed boardwalks and boat docks will be performed using pilings at a reasonable spacing sufficient to support the platforms while protecting the integrity of the wetlands. These activities will not have the affect of a discharge of fill material as outline in Rule 40 CFR 232 since the structures will not replace the bottom of the waterbody, reduce the reach or impair the flow or circulation of waters, nor cause an adverse alteration or elimination of aquatic functions. As such, no compensatory mitigation is proposed.</p>

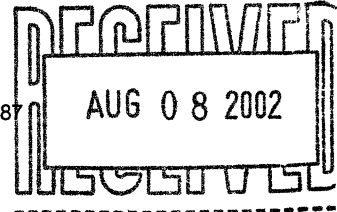
U.S. Department
of Transportation

United States
Coast Guard



Commanding Officer
United States Coast Guard
Marine Safety Office Hampton Roads

200 Grandby Street
Norfolk, VA 23510
Staff Symbol: VCD
Phone: (757) 441-3287
Fax: (757) 441-6313



16700
August 6, 2002

Colonial National Historic Park
Attn: Mr. Alec Gould
P.O. Box 210
Yorktown, VA 23690

Dear Mr. Gould:

This is response to your letter of July 29, 2002 regarding the Jamestown Project Draft Development Concept Plan/Environmental Impact Statement. I applaud your efforts in pursuing such an ambitious project; however, I do have a jurisdictional matter that I'd like to bring to your attention.

The Coast Guard is the federal agency that regulates commercial passenger vessel operations in U.S. waters. I consider both the proposed interpretive water tour and water taxi operations discussed in your draft plan as commercial endeavors and therefore subject to Coast Guard jurisdiction. In short, this means that both the tour boat and water taxis will need a Certificate of Inspection issued by this office in order to operate. In addition, both vessels must be operated by Coast Guard licensed individuals. I recommend you keep this in mind as the project moves forward and plan accordingly.

If you haven't done so already, I also recommend you contact the Army Corps of Engineers. You should be very clear as to their permitting requirements for any structures built in or on the water as part of your proposal.

Please keep me apprised of the project's status. My point of contact is Lieutenant Gene Gonzales, who can be reached at (757) 545-2414, ext. 309. Feel free to call him if you have any questions regarding certification and/or licensing requirements. I look forward to hearing from you.

Sincerely,

A handwritten signature in dark ink, appearing to read "C. S. Cross".

C. S. CROSS
Lieutenant Commander, U.S. Coast Guard
Chief, Vessel Compliance Department
By direction of the Officer in Charge, Marine Inspection

U.S. Dept. of Transportation, U.S. Coast Guard
C.S. Cross

ID	Topic 1	Topic 2	Comment	Response
4.1	Alternatives	Water Taxi/Tours	The Coast Guard is the federal agency that regulates commercial passenger vessel operations in U.S. waters. I consider both the proposed interpretive water tour and water taxi operations discussed in your draft plan as commercial endeavors and therefore subject to Coast Guard jurisdiction. In short, this means that both the tour boat and water taxis will need a Certificate of Inspection issued by this office in order to operate. In addition, both vessels must be operated by Coast Guard licensed individuals. I recommend you keep this in mind as the project moves forward and plan accordingly.	Comment noted. The APVA and NPS will coordinate accordingly with the Coast Guard to obtain the necessary certification for this operation.
4.2	Alternatives	Trails	If you haven't done so already, I also recommend you contact the Army Corps of Engineers. You should be very clear as to their permitting requirements for any structures built in or on the water as part of your proposal.	Coordination is ongoing with the U.S. Army Corps of Engineers.



U. S. Department
of Transportation

Federal Highway
Administration

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

SEP 26 2002

Refer to: HFPP-15

Mr. Alec Gould
Superintendent
Colonial National Historical Park
P.O. Box 210
Yorktown, VA 23690

Dear Mr. Gould:

We have reviewed the *Draft Development Concept Plan/ Environmental Impact Statement* for Colonial National Historic Park, Jamestown Unit, and have the following comments:

New Bridges

Alternatives 'B' and 'E' both call for new hike/bike bridges over potentially navigable waters (Back River and Powhattan Creek). According to the Federal Highway Administration (FHWA) bridge inspection reports, there are existing navigation lights on the bridges that carry the Colonial Parkway over Powhattan Creek and the Back River. As these existing bridges are upstream of the proposed hike/bike bridge locations, it is likely that navigation lights and other safety features will be required on a new bridge.

Under Alternative 'B', the preferred alternative, the report states "Design and construction of this bridge would be in character with this unique site using sustainable and site compatible materials and colors. Historic photographs of the bridge that once connected Neck of Land and Jamestown Island are available for historical reference in design development." (Page 2-33) Bridge fenders, navigational lighting, clearance gauges, and/or other design details that may be required for safe navigation could make this task very difficult and costly.

The vertical alignments of the potential crossings have not been discussed, other than noting that "the bridge would be high enough to ensure boat transport safety." According to FHWA's bridge inspection reports, there is an approximately 15.7-foot clearance under the Powhatan Creek Bridge and an approximately 17.5-foot clearance under the Back River Bridge. These clearances extend from river edge to river edge. Assuming a 17.5-foot clearance is required for a new pedestrian/bike bridge, and allowing 2.5 feet for the depth of its structural deck, means that the pathway would be a minimum of 20 feet above the shoreline.

Americans with Disabilities Act (ADA) requirements state that the grade of ramps and separated pathways may not exceed 5 percent. Based on historic topographic maps, the pathways approaching the bridge could be approximately 10 feet above the water surface. Consequently, to rise the 10 feet necessary to provide the minimum navigational clearance and still meet ADA

requirements, approximately 200 feet of approach will be necessary on each side of the bridge. It appears that this approach work is not reflected in the estimated costs since the Back River Bridge is listed as being 400 linear feet long (Page D-3) while the Powhatan Creek Bridge is listed as being 200 linear feet long (Page D-9).

Bicycling

Under Alternative 'C' and 'D', pedestrians and bicyclists would use the existing pavement of the Colonial Parkway. In order to better describe the bicycle safety along the Parkway, the Parkway could be examined using a Bicycle Safety Index Rating. The index incorporates average daily traffic data (vehicles), number of lanes, speed limit, width of outside traffic lane, pavement factors, and location factors.

FLHP Eligibility

None of the proposed alternatives appear to impact the National Historic Site's eligibility for Federal Lands Highway Program funding.

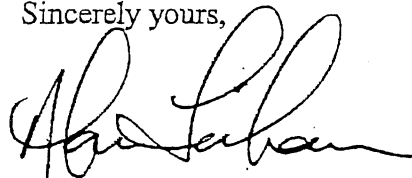
Typographical Error

Page 3-124 contains the statement "The Virginia Department of Transportation has established Level of Service "C" as the *upper* threshold for acceptable traffic conditions in the Williamsburg area." Replace 'upper' with 'lower'.

Overall, the report is well done. The numerous Geographical Information Systems layers and diagrams especially eased our understanding of the complexity of the site.

If you have any questions, please contact Ms. Nastaran Saadatmand, Planning Engineer, at 703-404-6289.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Alan T. Teikari".

Alan T. Teikari
Planning and Programming Engineer

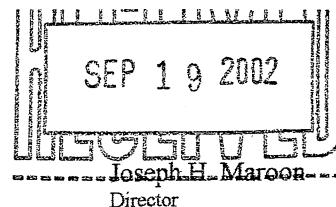
U.S. Dept. of Transportation, Federal Highway Administration
Alan T. Teikari

ID	Topic 1	Topic 2	Comment	Response
5.1	Alternatives	Trails	Alternatives B and E both call for new hike/bike bridges over potentially navigable waters (Back River and Powhattan Creek). According to the Federal Highway Administration (FHWA) bridge inspection reports, there are existing navigation lights on the bridges that carry the Colonial Parkway over Powhattan Creek and the Back River. As these existing bridges are upstream of the proposed hike/bike bridge locations, it is likely that navigation lights and other safety features will be required on a new bridge.	Comment noted. All necessary safety measures will be used. The NPS will coordinate with FHWA to ensure all requirements are met.
5.2	Alternatives	Trails	Under Alternative B, the preferred alternative, the report states "Design and construction of this bridge would be in character with this unique site using sustainable and site compatible materials and colors. Historic photographs of the bridge that once connected Neck of Land and Jamestown Island are available for historical reference in design development." (Page 2-33) Bridge fenders, navigational lighting, clearance gauges, and/or other design details that may be required for safe navigation could make this task very difficult and costly.	The planning team feels that the designing the bridge in keeping with the historical character and accommodating safety features can be feasibly accomplished.
5.3	Alternatives	Trails	The vertical alignments of the potential crossings have not been discussed, other than noting that "the bridge would be high enough to ensure boat transport safety." According to FHWA's bridge inspection reports, there is an approximately 15.7-foot clearance under the Powhatan Creek Bridge and an approximately 17.5-foot clearance under the Back River Bridge. These clearances extend from river edge to river edge. Assuming a 17.5-foot clearance is required for a new pedestrian/bike bridge, and allowing 2.5 feet for the depth of its structural deck, means that the pathway would be a minimum of 20 feet above the shoreline.	Comment noted.

U.S. Dept. of Transportation, Federal Highway Administration
Alan T. Teikari

ID	Topic 1	Topic 2	Comment	Response
5.4	Alternatives	Trails	Americans with Disabilities Act (ADA) requirements state that the grade of ramps and separated pathways may not exceed 5 percent. Based on historic topographic maps, the pathways approaching the bridge could be approximately 10 feet above the water surface. Consequently, to rise the 10 feet necessary to provide the minimum navigational clearance and still meet ADA requirements, approximately 200 feet of approach will be necessary on each side of the bridge. It appears that this approach work is not reflected in the estimated costs since the Back River Bridge is listed as being 400 linear feet long (Page D-3) while the Powhatan Creek Bridge is listed as being 200 linear feet long (Page D-9).	The bridge proposed in Alternative E crosses a narrower channel than the bridge proposed in Alternative B.
5.5	Alternatives	Trails	Under Alternative C and D, pedestrians and bicyclists would use the existing pavement of the Colonial Parkway. In order to better describe the bicycle safety along the Parkway, the Parkway could be examined using a Bicycle Safety Index Rating. The index incorporates average daily traffic data (vehicles), number of lanes, speed limit, width of outside traffic lane, pavement factors, and location factors.	This rating system will be applied to future documents and plans.
5.6	Alternatives	General	None of the proposed alternatives appear to impact the National Historic Site's eligibility for Federal Lands Highway Program funding.	Comment noted.
5.7	Other	Editorial	Page 3-124 contains the statement "The Virginia Department of Transportation has established Level of Service "C" as the upper threshold for acceptable traffic conditions in the Williamsburg area." Replace "upper" with "lower".	Page 3-124 presents the existing conditions for "Fisheries." The proposed change has been made on page 3-214 within Section 3.8.7, "Traffic Operations on the Colonial Parkway."

W. Tayloe Murphy, Jr.
Secretary of Natural
Resources



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

217 Governor Street
Richmond, Virginia 23219-2010
Telephone (804) 786-7951 FAX (804) 371-2674 TDD (804) 786-2121

Mr. Alec Gould
Superintendent
Colonial National Historical Park
P. O. Box 210
Yorktown, Virginia 23690

17 September 2002

RE: edits

Dear Alec;

Thank you for the opportunity to review the Jamestown Project Draft Development Concept Plan/Environmental Impact Statement. Enclosed are comments and edits regarding that document. Should you have questions, or need clarification, please feel free to contact me at (804) 786-9124, or serdle@dcrr.state.va.us. Thanks again for the opportunity, and I look forward to working with you in the near future.

Best wishes,

A handwritten signature in cursive script, appearing to read "Sandra Y. Erdle".
Sandra Y. Erdle

Sye/enclosure
cc: Mr. Chuck Rafkind

Comments: The Jamestown Project Draft Development Concept Plan/Environmental Impact Statement (review by S. Erdle, Department of Conservation and Recreation, Division of Natural Heritage)

Volume 1 (Chapters 1-3)

Tables 3-21, 3-22, 3-23, 3-24, 3-25 – I suggest that tables listing multiple species be organized taxonomically.

Page 3-108 – The red wolf has not been re-introduced into the Dismal Swamp (or any other) region of Virginia.

Page 3-127 – 3.3.2.11 – Change the word studies in the first sentence to surveys, to more accurately reflect the work that was performed.

Page 3-131 – Bald Eagle – North American in the first sentence should read North America.

Page 3-131 – third paragraph – For clarity, the word birds might be replaced with the more specific “Bald Eagles” in the first sentence.

Page 3-131 – second column, first paragraph – For accuracy, I suggest changing Eagles have also shown an ability to “Some eagles have also shown an ability to “some routine” since all eagles are not habituated to all human activities.

Page 3-131 – second column - The word “perching” is used throughout the paragraphs, while it is likely correct, I have most often heard the word “roosting” used for this activity.

Page 3-131 – second column, third paragraph – I suggest changing the sentence The project site is currently a host to three ... to “The project site currently supports three ...”

Page 3-131 – second column, third paragraph – I suggest changing the sentence It appears ... as well as boat traffic in Back River. To “It appears ... as well as existing boat traffic in Back River.”

Page 3-132 – third paragraph – In April 2001, the FWS “issued” a biological opinion, rather than issues.

Volume 2 (Chapters 4-5)

Page 4-5 – third paragraph – I suggest removing the inference that an action necessitating increased monitoring of breeding Bald Eagles is an “enhancement” of professional relationships.

Page 4-81 – second paragraph – ~~Without~~ Without numbers, schedules, or additional information on the proposed boat service, it's not reasonable to state that the addition of a boat service would not “measurably increase” the overall boat traffic.

Page 2 - Comments: The Jamestown Project

Page 4-81 – paragraph three – Stabilization of shorelines wasn't mentioned in any descriptions of proposed alternatives. While the permitting agencies will have ultimate say over this – it's an activity that should probably have been included as part of the biological assessment.

Page 4-82 – paragraph three – The *Shoreline Management Plan* needs to be accompanied by the Hardaway *et al.* citation.

Page 4-102 – 4.3.2.9 – final sentence – The only listed species within the Jamestown Project area are the Bald Eagle and sensitive joint-vetch.

Page 4-103 – paragraph two – The impact definitions here are vague – what is the difference between “very few individuals,” a “relatively small number of individuals,” and “a relatively moderate number of individuals?” More concise, measurable differentiations, as well as thresholds or triggers for action are preferable.

Page 4-105 – second column, paragraph three – The impact definitions here are vague – see above. Coordination with the USFWS might prove helpful with these definitions. The Service likely has some effective impact definitions or thresholds that they routinely use in situations like this.

Page 4-107 – second column, paragraph two – This level of boating would be substantially higher than current levels see the comment for Page 4-81 – on that page you stated that “... the addition of a boat service would not “measurably increase” the overall boat traffic ...” For consistency and accuracy, whichever sentence is true should be used throughout.

Page 4-109 – second column, last sentence – The final sentence here is slightly ambiguous and some clarification would help the reader.

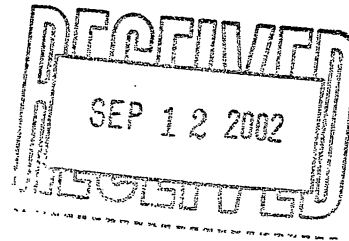
Page R-7 – The citation for the draft biological assessment should be written as: Erdle, S. Y. and K. E. Heffernan. 2001. Draft Biological The citations should be edited for consistency - some give entire names, and some give initials, I believe that for a document of this type, either is correct as long as it's consistent throughout.

ID	Topic 1	Topic 2	Comment	Response
6.1	Other	Editorial	Tables 3-21, 3-22, 3-23, 3-24, 3-25 - I suggest that tables listing multiple species be organized taxonomically.	This is a good suggestion for future documents; however, the alphabetical organization will remain for the Final DCP/EIS.
6.2	Natural Resources	Natural Resources	Page 3-108 - The red wolf has not been re-introduced into the Dismal Swamp (or any other) region of Virginia.	This error has been corrected in the document. The author was thinking of another location in northern North Carolina.
6.3	Other	Editorial	Page 3-127 - 3.3.2.1 1 - Change the word "studies" in the first sentence to "surveys", to more accurately reflect the work that was performed.	Changed as suggested.
6.4	Other	Editorial	Page 3-13 1 - Bald Eagle - North American in the first sentence should read North America.	Changed as suggested.
6.5	Other	Editorial	Page 3-13 1 - third paragraph - For clarity, the word birds might be replaced with the more specific "Bald Eagles" in the first sentence.	Changed as suggested.
6.6	Other	Editorial	Page 3-131 - second column, first paragraph - For accuracy, I suggest changing Eagles have also shown an ability . . . to "Some eagles have also shown an ability . . . to "some routine . . . " since all eagles are not habituated to all human activities.	Changed as suggested.
6.7	Other	Editorial	Page 3-13 1 - second column - The word "perching" is used throughout the paragraphs, while it is likely correct, I have most often heard the word "roosting" used for this activity.	Perching and roosting are both correct for this discussion.
6.8	Other	Editorial	Page 3-13 1 - second column, third paragraph - I suggest changing the sentence The project site is currently a host to three . . . to "The project site currently supports three..."	Changed as suggested.
6.9	Other	Editorial	Page 3-13 1 - second column, third paragraph - I suggest changing the sentence It appears . . . as well as boat traffic in Back River. To "It appears . . . as well as existing boat traffic in Back River."	Changed as suggested. In addition, information from the boat traffic observations performed by NPS staff has been added.
6.10	Other	Editorial	Page 3-132 - third paragraph - In April 2001, the FWS "issued" a biological opinion, rather than issues.	Changed as suggested.

ID	Topic 1	Topic 2	Comment	Response
6.11	Other	Editorial	Page 4-5 - third paragraph - I suggest removing the inference that an action necessitating increased monitoring of breeding Bald Eagles is an "enhancement" of professional relationships.	The words "create opportunities" have been substituted for the word "enhancement."
6.12	Alternatives	Water Taxi/Tours	Page 4-8 1 - second paragraph -Without numbers, schedules, or additional information on the proposed boat service, it's not reasonable to state that the addition of a boat service would not "measurably increase" the overall boat traffic.	Information has been added to the document based on the observations conducted by NPS staff during late spring and early summer.
6.13	Natural Resources	Natural Resources	Page 4-8 1 - paragraph three - Stabilization of shorelines wasn't mentioned in any descriptions of proposed alternatives. While the permitting agencies will have ultimate say over this - it's an activity that should probably have been included as part of the biological assessment.	Shoreline stabilizations are not being proposed as part of the Jamestown Project. Shoreline stabilizations were presented in the Shoreline Management Plan for Jamestown Island, Powhatan Creek, Sandy Bay, Back River, The Thorofare, and James River Shorelines. This document was prepared by the Virginia Institute of Marine Science for Colonial National Historical Park.
6.14	Other	Editorial	Page 4-82 - paragraph three - The Shoreline Management Plan needs to be accompanied by the Hardaway et al. citation.	Changed as suggested.
6.15	Other	Editorial	Page 4-102 - 4.3.2.9 - final sentence - The only listed species within the Jamestown Project area are the Bald Eagle and sensitive joint-vetch.	Changed as suggested.
6.16	Natural Resources	Natural Resources	Page 4-103 - paragraph two - The impact definitions here are vague - what is the difference between "very few individuals," a "relatively small number of individuals," and "a relatively moderate number of individuals?" More concise, measurable differentiations, as well as thresholds or triggers for action are preferable.	The impact definitions used are relatively vague because specific quantifications cannot be justified. The previously observed population of sensitive joint-vetch consisted of very few individuals. However, it is not known how large the reserve population may be within the seed bank. The NPS is currently trying to standardize its impact intensity definitions, and the definitions presented within this section are based on those accepted for impacts to rare, threatened, and endangered species.
6.17	Natural Resources	Natural Resources	Page 4-105 - second column, paragraph three - The impact definitions here are vague - see above. Coordination with the USFWS might prove helpful with these definitions. The Service likely has some effective impact definitions or thresholds that they routinely use in situations like this.	The impact definitions used are relatively vague because specific quantifications cannot be justified. The NPS is currently trying to standardize its impact intensity definitions, and the definitions presented within this section are based on those accepted for impacts to rare, threatened, and endangered species. The basic definition was rewritten to focus on the project location and regional population of bald eagles.

ID	Topic 1	Topic 2	Comment	Response
6.18	Alternatives	Water Taxi/Tours	Page 4-107 - second column, paragraph two - This level of boating would be substantially higher than current levels see the comment for Page 4-81 - on that page you stated that " ... the addition of a boat service would not "measurably increase" the overall boat traffic ..." For consistency and accuracy, whichever sentence is true should be used throughout.	This will be corrected in the document.
6.19	Other	Editorial	Page 4-109 - second column, last sentence - The final sentence here is slightly ambiguous and some clarification would help the reader.	The sentence has been rewritten to more clearly state that the work associated with Alternative B is not expected to result in the ability of the bald eagle to exist within the Jamestown area.
6.20	Other	Editorial	Page R-7 - The citation for the draft biological assessment should be written as: Erdle, S. Y., and K. E. Heffernan. 2001. Draft Biological, The citations should be edited for consistency - some give entire names, and some give initials, I believe that for a document of this type, either is correct as long as it's consistent throughout.	The citation has been changed to use only initials for the authors and July has been removed from the date. In each bibliographic entry, full names were used where known and/or listed in the document.

W. Tayloe Murphy, Jr.
Secretary of Natural
Resources



Joseph H. Maroon
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street
Richmond, Virginia 23219-2010
TDD (804) 786-2121

DATE: 10 September 2002
TO: Charles H. Ellis, III, Virginia Department of Environmental Quality
Derral Jones
FROM: Derral Jones, Planning Bureau Manager
REFERENCE: DEQ#02-148: Jamestown Project Draft Conceptual Plan/Environmental Impact Statement

The Department of Conservation and Recreation (DCR) has searched its Biological and Conservation Data System (BCD) for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

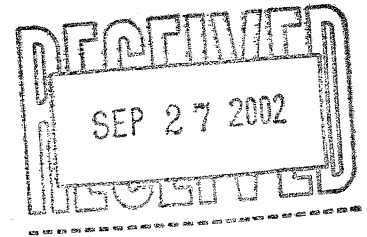
According to the information currently in our files, sensitive joint-vetch (*Aeschynomene virginica*, G2/S2/LT/NS) and Bald Eagle nest sites (*Haliaeetus leucocephalus*, G4/S2/LT/LT) have been documented in the project area. DCR understands that the National Park Service is consulting with the U.S. Fish and Wildlife Service as well as the Stewardship Section of DCR's Division of Natural Heritage to avoid impacts to these natural heritage resources. Therefore, DCR has no further comments at this time.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

Any absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. New and updated information is continually added to BCD. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

For your records, at this time, the proposed project is not anticipated to have any adverse impacts on existing or planned recreational facilities. Nor will it impact any streams on the National Park Service Nationwide Inventory, Final List of Rivers, potential Scenic Rivers or existing or potential State Scenic Byways.

CC: Alec Gould, Colonial National Historical Park



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

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Robert G. Burnley
Director
(804) 698-4000
1-800-592-5482

September 26, 2002

Mr. Alec Gould
Superintendent
Colonial National Historical Park
P.O. Box 210
Yorktown, Virginia 23690

RE: The Jamestown Project Draft Development Concept Plan/Environmental Impact Statement
DEQ-02-148F

Dear Mr. Gould:

The Commonwealth of Virginia has completed its review of the Jamestown Project Draft Development Concept Plan/Environmental Impact Statement (hereinafter "Draft Plan/EIS") which includes a federal consistency determination pursuant to the Coastal Zone Management Act. The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of federal environmental documents and responding to appropriate federal officials on behalf of the Commonwealth. DEQ is also responsible for coordinating Virginia's review of federal consistency determinations. The following agencies joined in this review:

Department of Environmental Quality
Department of Agriculture and Consumer Services
Department of Conservation and Recreation
Department of Health
Department of Transportation
Marine Resources Commission
Department of Mines, Minerals, and Energy
Department of Forestry
Chesapeake Bay Local Assistance Department.

In addition, the following agencies, planning district commission, and locality were invited to comment:

Department of Game and Inland Fisheries
Department of Historic Resources
Department of Forestry
Hampton Roads Planning District Commission
James City County.

Project Description

The National Park Service (hereinafter “NPS” or “Park Service”), collaborating with the Association for the Preservation of Virginia Antiquities (“APVA”), seeks to update the interpretive experience at Jamestown in light of the abundance of archaeological resources and collections there; to improve collections storage, parking, and the current Visitor Center; to add services and interpretive opportunities; and to provide multi-modal transportation options (Draft Plan/EIS, pages iii-iv). To this end, the Draft Plan/EIS presents, as a baseline for analysis, a continuation of current management practices at Jamestown Island (Alternative A, No Action, page iv) and four action alternatives, briefly described as follows.

A number of features, common to all the action alternatives, would be implemented. These include reconfiguration of parking at Glasshouse Point, a separate pedestrian/bicycle path from the Glasshouse to the Jamestown Settlement entrance, new signage on the Loop Drive, and additional shade and seating (Draft Plan/EIS, pages 2-25 and 2-26, section 2.6).

Alternative B, the Preferred Alternative, would involve replacing the visitor center; adding an intermodal transportation facility allowing foot, bicycle, boat, or shuttle transit to Jamestown Island; re-use the existing visitor center to make an observation building; and add a research and collections storage center, enabling the Park Service to remove its collection from the basement of the existing visitor center. This alternative would also provide new exhibit spaces at the east and west ends of the historic Town site. The total building area of development or re-use involved is 34,000 square feet (Draft Plan/EIS, pages v-vi; see also pages 2-7 and 2-8 and Figure 2-2).

Alternative C is similar to Alternative B except that that it would have a larger intermodal transportation center, housing collections storage and the Visitor Center on Neck of Land, thereby removing most vehicular traffic from the island. Alternative C would also involve putting APVA’s collections on the Jamestown Rediscovery Center, splitting what is essentially one collection. Research facilities would be remote from the Town site. The total building area would also be 34,000 square feet (Draft Plan/EIS, page vi; see also page 2-8 and Figure 2-3).

Alternative D would reconfigure the existing Visitor Center, collections, education facility, and observation building on Jamestown Island, leaving Neck of Land as it currently exists and minimizing new disturbance. The opportunities for interpretation inherent in Alternative B would not be present in Alternative D, and the visitor center would require addition of another story, raising its height. The total building area for this alternative would be 28,000 square feet (Draft Plan/EIS, page vii; see also page 3-13 and Figure 2-4).

Alternative E would be similar to the Preferred Alternative (B), except for housing the NPS collections remotely in Williamsburg or James City County. It would include a smaller observation building and a smaller parking lot than those contemplated in Alternative B (Draft Plan/EIS, pages vii-viii; see also pages 2-13 and 2-14 and Figure 2-5).

Environmental Impacts and Mitigation

Selection of Alternatives. The Department of Agriculture and Consumer Services, based on the potential impacts of the project on the sensitive joint vetch (a plant listed by the U.S. Fish and Wildlife Service as threatened), indicates that Alternative D would be the best choice from the standpoint of protection of that plant, and that Alternative E would be the second choice (see item 3, below). DEQ's Tidewater Regional Office indicates that from the standpoint of wetlands, the boardwalk proposed in Alternatives C and D would have less impact than that proposed in the preferred alternative, Alternative B. DEQ's Water Division recommends a modification to Alternative B to minimize the impacts on wetlands (item 2, below).

1. Wetlands and Water Resources. As indicated above, the hiking/biking boardwalk proposed in Alternatives C and D would appear to have less impact on wetlands than the preferred alternative, Alternative B. Alternative B would cross over not only an extensive wetland section, but also over wetlands with the highest ecological value of all the wetlands analyzed, according to DEQ's Tidewater Regional Office. In this regard, DEQ's Water Permits Support Office recommends Park Service consideration of a variation of Alternative B. This would involve having the path and boardwalk follow the Old Road Trace, which is apparent on the Neck of Land in Figure 3-9, straight across the wetland (south) toward the Back River instead of diagonally southeast across it. This would necessitate putting the bridge across the Back River farther northwest, opposite a forested upland between two wetland areas. It would be necessary, in this event, to bring the hiking/biking path through the grove of trees south of the Back River and back to the western side of the reduced parking area. The advantage of this revision is that it would use an existing, previously disturbed roadbed rather than crossing marshland and waterways on a new alignment.

In general, DEQ recommends that stream and wetland impacts be avoided to the maximum extent practicable. For unavoidable impacts, DEQ encourages the following practices to minimize the impacts to wetlands and waterways:

- Use directional drilling from upland locations for stream crossings, to the extent practicable. If directional drilling is not feasible, stockpile the material excavated from the trench for replacement.
- Operate machinery and construction vehicles outside of stream-beds and wetlands; use synthetic mats when in-stream work is unavoidable;
- Construct trenches for utility lines in a manner that does not drain the wetlands (for example, backfilling with extensive gravel layers thereby creating a french drain effect).
- Preserve the top 12 inches of trench material removed from wetlands for use as wetland seed and root-stock in the excavated area.
- Erosion and sedimentation controls should be designed in accordance with the most current edition of the Virginia Erosion and Sediment Control Handbook. These controls should be in place prior to clearing and grading, and maintained in good working order to minimize impacts to State waters. The controls should remain in place until the area is stabilized.
- Place heavy equipment, located in temporarily impacted wetland areas, on mats, geotextile fabric, or use other suitable measures to minimize soil disturbance, to the maximum extent practicable.
- Restore all temporarily disturbed wetland areas to pre-construction conditions and plant or seed with appropriate wetlands vegetation in accordance with the cover type (emergent, scrub-shrub, or forested). The applicant should take all appropriate measures to promote re-vegetation of these areas. Stabilization and restoration efforts should occur immediately after the temporary disturbance of each wetland area instead of waiting until the entire project has been completed.
- Place all materials which are temporarily stockpiled in wetlands, designated for use for the immediate stabilization of wetlands, on mats, geotextile fabric in order to prevent entry in State waters. These materials should be managed in a manner that prevents leachates from entering state waters and must be entirely removed within thirty days following completion of that construction activity. The disturbed areas should be returned to their original contours, stabilized within thirty days following removal of the stockpile, and restored to the original vegetated state.

2. *Natural Heritage Resources.* The Department of Conservation and Recreation has searched its Biological and Conservation Data System for occurrences of natural heritage resources in the project area. "Natural heritage resources" are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations. The Department of Conservation and Recreation (DCR) indicates that the sensitive joint vetch (*Aeschynomene virginica*), a plant listed as threatened by the U.S. Fish and Wildlife Service and as a candidate species for listing by the Virginia Department of Agriculture and Consumer Services, has been documented in the project area. So have nesting sites for the bald eagle (*Haliaeetus leucocephalus*). DCR understands that the Park Service is consulting with DCR's Division of Natural Heritage and the U.S. Fish and Wildlife Service in an effort to avoid impacts to the sensitive joint vetch and the bald eagle.

The Virginia Department of Agriculture and Consumer Services recommends either Alternative D (its first choice) or Alternative E (its second) as courses of action which would present the least potential adverse impacts to known populations of the sensitive joint vetch.

3. *Wildlife Resources.* Under Title 29.1 of the Code of Virginia, DGIF is the primary wildlife and freshwater fish management agency in the Commonwealth. The DGIF has full law enforcement and regulatory jurisdiction over all wildlife resources, inclusive of state and federally endangered or threatened species, but excluding listed insects. The agency maintains a comprehensive system of databases of wildlife resources that is available through the Agency's site at www.dgif.state.va.us, in the "Wildlife" section from the link to "Wildlife Information Online". The DGIF determines likely impacts on fish and wildlife resources and habitats, and recommends appropriate measures to avoid, reduce or compensate for those impacts. For more information on the Wildlife Information Online Service, contact Kathy Quindlen at (804) 367-9717.

4. *Air Quality.* Jamestown is in an ozone maintenance area and an emission control area for the contributors to ozone pollution, which are volatile organic compounds (VOCs) and oxides of nitrogen (NO_x). This has two practical consequences for project development. One is that the Park Service should take all reasonable precautions to limit emissions of VOCs and NO_x, principally by controlling or limiting the burning of fossil fuels. A second precaution, stemming from 9 VAC 5-40-5490 in the Regulations for the Control and Abatement of Air Pollution, is that there are some limitations on the use of "cut-back" (liquefied asphalt cement, blended with petroleum solvents) that may apply in the construction of the roads or paths associated with the project. The asphalt must be "emulsified" (predominantly cement and water with a small amount of emulsifying agent) except when specified circumstances apply. Moreover, there are time-of-year restrictions on its use during the months of April through October in VOC emission control areas.

DEQ's Office of Air Data Analysis recommends that during construction, fugitive dust be kept to a minimum by using control methods outlined in 9 VAC 5-50-60 et seq. of the Virginia Regulations for the Control and Abatement of Air Pollution. These precautions include, but are not limited to, the following:

- Use, where possible, of water or chemicals for dust control;
- Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;
- Covering of open equipment for conveying materials; and
- Prompt removal of spilled or tracked dirt or other materials from paved streets and removal of dried sediments resulting from soil erosion.

In addition, if project activities include the burning of construction or demolition material, they must meet the requirements under 9 VAC 5-40-5600 et seq., for open burning, and a permit may be required. The Regulations provide for, but do not require, the local adoption of a model ordinance concerning open burning; the Park Service should contact James City County officials to determine what local requirements, if any, exist. The model ordinance includes, but is not limited to, the following provisions:

- All reasonable effort shall be made to minimize the amount of material burned, with the number and size of the debris piles;
- The material to be burned shall consist of brush, stumps and similar debris waste and clean burning demolition material;
- The burning shall be at least 500 feet from any occupied building unless the occupants have given prior permission, other than a building located on the property on which the burning is conducted;
- The burning shall be conducted at the greatest distance practicable from highways and air fields;
- The burning shall be attended at all times and conducted to ensure the best possible combustion with a minimum of smoke being produced;
- The burning shall not be allowed to smolder beyond the minimum period of time necessary for the destruction of the materials; and
- The burning shall be conducted only when the prevailing winds are away from any city, town or built-up area.

In addition, as DEQ's Tidewater Regional Office notes, the new or reconfigured buildings proposed in several of the Alternatives are likely to need space heating or emergency power. In the event boilers are required for heating, or generators are required for emergency power generation, these buildings may require permits from DEQ's Tidewater Regional Office. That Office requests a letter from the Park Service describing, at a minimum, the size of the units to be installed and the type of fuel to be burned for any stationary air emission units. DEQ's Tidewater Regional Office states

that natural gas or low-sulfur fuel oil are preferred fuels. See “Regulatory and Coordination Needs,” item 8, below.

5. Solid and Hazardous Waste Management. According to DEQ’s Waste Division, Office of Remedial Programs (hereinafter “DEQ’s Waste Division”), the Draft Plan/EIS addressed hazardous waste issues (see Draft Plan/EIS, Volume 2, pages 4-128 through 4-134, section 4.3.2.13), but did not address solid waste or pollution prevention. In this regard, DEQ’s Waste Division recommends the reduction of waste at the source, re-use of materials, and recycling of solid wastes. See also item 11, below.

Any soil suspected of contamination, or any wastes generated, must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations. These include, but are not limited to the Virginia Hazardous Waste Management Regulations (9 VAC 20-60), the Virginia Regulations for the Transportation of Hazardous Materials (9 VAC 20-110), and the Virginia Solid Waste Management Regulations (9 VAC 20-80).

The Draft Plan/EIS indicated that asbestos-containing materials (ACM) and lead-based paint are present in structures that are to be renovated or demolished (pages 4-128 through 4-134, section 4.3.2.13). In addition to federal regulations, state regulations on ACM (9 VAC 20-80-640) and on lead-based paint (9 VAC 20-60-261) must be followed. The Draft Plan/EIS states that the landfill where the construction and demolition debris would be disposed must be informed that the waste contains non-friable ACM. The first regulation cited above indicates that Category I and Category II non-friable ACM may be disposed of in a construction and demolition debris landfill providing daily soil covering, so long as the operator is notified and other pertinent requirements met (see 9 VAC 20-80-640.D.). See “Regulatory and Coordination Needs,” items 4 and 5, below.

DEQ’s Tidewater Regional Office raised several questions that should be addressed further in the Final EIS and Plan when that is published:

(a) Paintbrushes in the Mule Barn/Restoration Shop. The Draft Plan/EIS indicates that paintbrushes were routinely cleaned in the sink in that Shop, which drains to the exterior soil surface, and recommends testing of the soils in case of demolition or new construction (page 3-167, section 3.3.2.15, “Oil and/or Other Hazardous Materials” heading). The Final Plan and EIS should indicate the nature of the paint and the cleaner, because the activity would fall under the Resource Conservation and Recovery Act (42 U.S. Code, section 6901 *et seq.*) and would need to be reported and cleaned up.

(b) NPS Maintenance Fire Cache Building. The Draft Plan/EIS indicates the presence of a small fenced area containing sand piles and tar debris, where petroleum

odors were observed in the sand piles (page 3-167). The Final Plan and EIS should indicate the disposition of the sand piles.

(c) Buried Munitions Site. The Draft Plan/EIS states that munitions were buried in 1975-76, and removed by naval personnel in June 2001 (page 3-167). No soil samples were taken to determine whether lead contamination was present. The Final Plan and EIS should explain why no soil samples were taken and show that the management of this site adheres to all regulatory requirements.

(d) Disposal of Lead, Thermostats, and Light Tubes. The Draft Plan/EIS indicates that the Park Service must apply for and obtain an EPA identification number in order to dispose of light bulbs and thermostats containing mercury, and secure the services of a contractor to properly remove the waste (Volume 2, page 4-129, section 4.3.2.13). However, if the Jamestown unit of Colonial National Historical Park has disposed of hazardous waste in the past, the Park Service may have obtained a provisional EPA ID number. Once a waste has been determined to be hazardous, the facility must comply with all applicable sections of the regulations in Title 40, Code of Federal Regulations, sections 260-299.

(e) Disposal of Asbestos-Containing Materials (ACM) and Lead-Based Paint. According to DEQ's Tidewater Regional Office, the Final Plan and EIS should indicate the proper disposal method and limitations thereon; see above.

6. Drinking Water. The Virginia Department of Health supports the purpose of the project, which is to upgrade the existing infrastructure and to fully connect Jamestown Island to public water and sewer utilities.

7. Environmentally Sensitive Areas. Some of the land areas that would be affected by the project are sensitive to impacts which may cause significant degradation to the quality of state waters. These areas include tidal wetlands, non-tidal wetlands connected by surface flow and contiguous to tidal wetlands or tributary streams, and other lands necessary to protect the quality of state waters. Federal developments in these environmentally sensitive areas must be consistent, to the maximum extent practicable, with enforceable state policies regarding these lands (see 15 CFR Part 930, sections 930.30 and 930.32(a)(1) for this requirement, and see the Chesapeake Bay Preservation Area Designation and Management Regulations, 9 VAC 10-20-10 *et seq.*, specifically 9 VAC 10-20-130, for the enforceable policy). The Chesapeake Bay Local Assistance Department focused on the preferred alternative, Alternative B, in developing the analyses which follow.

(a) Stormwater Management and Water Quality Protection. The Chesapeake Bay Local Assistance Department (hereinafter "CBLAD") indicates its satisfaction that the

Park Service is committed to reducing impacts from runoff by using Best Management Practices (BMPs). CBLAD requests a copy of the final plans and water quality calculations to verify consistency with the Chesapeake Bay Preservation Area Designation and Management Regulations (hereinafter “the Regulations”) and their Performance Criteria (see “Regulatory and Coordination Needs,” item 6, below). The water quality criteria of the Regulations (revised March 1, 2002) now reference the water quality protection requirements of the Virginia Stormwater Management Regulations (4 VAC 3-20-71 et seq.). Calculation procedures in the *Virginia Stormwater Management Handbook* should be followed for calculating pre- and post-development pollutant impacts and BMP compliance. The water quality calculations should evaluate the pre- and post-development conditions based upon sub-watersheds, and not based upon the entire property acreage. In addition, tidal wetlands should not be used in the calculation of site area.

The following guidance on the intent of the 16% impervious cover (average land cover condition) is found in Chapter 2 of the *Virginia Stormwater Management Handbook* (“SWM Handbook”) and should be considered for this and future development on the property. Development with less than 16% impervious cover should be reviewed for the type and distribution of the impervious cover prior to determining that no water quality measures are required. While clustering of development (parking lots, buildings, etc.) on sufficiently large parcels such that overall impervious cover is less than 16% may allow for the preservation of high-priority open space, it may also represent a significant source of increased runoff and pollutant load when directly connected to the drainage system. The SWM Handbook suggests that the application of the performance-based water quality criteria be evaluated on a case-by-case basis. The following quotation is from the SWM Handbook:

When improvements on a site are concentrated such that the impervious area is collected and drained to a single receiving channel (connected impervious cover), it is reasonable to expect that the developed condition runoff will have an impact on the receiving system in terms of water quality impairments, regardless of the overall ‘site’ percent imperviousness, and therefore should be considered in the water quality strategy. In such cases, DCR recommends that the percent impervious cover calculation be based on the drainage area being collected by the improved drainage system.

CBLAD noted that the Park Service has enlisted the assistance of the Center for Watershed Protection in evaluating stormwater management techniques to apply to the new development. CBLAD encourages the Park Service to develop educational signage featuring the stormwater technology and its benefits wherever possible. This would help the federal government meet some of the stormwater demonstration commitments in the Chesapeake 2000 Agreement.

Finally, a number of types of activity are subject to the Virginia Stormwater Management Regulations, administered by the Department of Conservation and Recreation, if they will cause land disturbance of one acre or more. See "Federal Consistency," item 5 and "Regulatory and Coordination Needs," item 3, below.

(b) Resource Protection Area Concerns. Chesapeake Bay Resource Protection Areas (RPAs) are the more stringent of two designations of Chesapeake Bay Preservation Areas under the Chesapeake Bay Preservation Area Designation and Management Regulations. These are "lands at or near the shoreline that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation to the quality of state waters" (see the definition in the Regulations, 9 VAC 10-20-30).

According to CBLAD, some of the proposed expansions in the area of the Jamestown Rediscovery Center will encroach into environmentally sensitive areas, as described at the beginning of this Item (hereinafter referred to as Resource Protection Areas (RPAs)). No justification is provided as to why this is necessary, versus construction on the south side of the collections and storage buildings. In order to be consistent with the Chesapeake Bay Preservation Area Designation and Management Regulations, the parking and other features should be reconfigured so as to avoid this encroachment, particularly since there are non-RPA areas in the immediate vicinity. Only water-dependent activities, redevelopment, and specific exempted activities/features are permitted within the 100-foot buffer area. Therefore, all proposed structures or parking facilities should be located at a sufficient distance from the RPA boundary so as to avoid any disturbance within these areas. Because the park will be the focus of much public attention, it is essential that the Park Service act consistently with the Regulations. In addition to the Federal Consistency Regulations (15 CFR Part 930) and the 1998 Federal Agencies' Chesapeake Ecosystem Unified Plan, federal and state agencies committed themselves to leading by example in carrying out the elements of the Chesapeake 2000 Agreement.

The new modal transfer facility shown in Figure 4-2 (Draft Plan/EIS, page 4-62) extends significantly into the RPA. From the description of this area (Draft Plan/EIS, page 4-44), it appears that there may be a shelter or structure associated with this feature. While recreational trails are permitted in the RPA, non-water-dependent structures are not. It appears that this transfer station could be shortened and still achieves the same purpose (i.e., end it at the dock).

While the boardwalks, bridges and dock/decking are exempted features, CBLAD noted that there appears to be no compensatory mitigation proposed for the impacts these will likely cause as a result of shading.

8. Forest and Tree Protection. In order to protect trees in the project area from the effects of construction activities, the Park Service should mark and fence trees at least to the dripline or the end of the root system, whichever extends farther from the tree stem. Marking should be done with highly visible ribbon so that equipment operators see the protected areas easily.

Parking and stacking of heavy equipment and construction materials near trees can damage root systems by compacting the soil. Soil compaction, from weight or vibration, affects root growth, water and nutrient uptake, and gas exchange. The protection measures suggested above should be used for parking and stacking as well as for moving of equipment and materials. If parking and stacking are unavoidable, the Park Service should use temporary crossing bridges or mats to minimize soil compaction and mechanical injury to plants.

Any stockpiling of soil should take place away from trees. Piling soil at a tree stem can kill the root system of the tree. Soil stockpiles should be covered, as well, to prevent soil erosion and fugitive dust.

Questions on tree protection may be directed to the Department of Forestry (Mike Foreman, telephone (434) 977-6555).

9. Transportation. The Department of Transportation indicates that this project will not affect existing or planned state roads. The Department of Transportation is involved in planning for the Jamestown anniversary celebrations in 2007.

10. Recreation Resources. The Department of Conservation and Recreation (DCR) indicates that the proposed project is not likely to adversely affect any existing or planned state recreation facilities. DCR has also indicated that the proposed project will not affect any streams on the National Park Service Nationwide Inventory, Final List of Rivers, or existing or potential State Scenic Rivers. Nor will the project affect existing or potential State Scenic Byways.

11. Pollution Prevention. DEQ advocates that principles of pollution prevention be used in all construction projects as well as in facility operations. Effective siting, planning, and on-site Best Management Practices (BMPs) will help to ensure that environmental impacts are minimized. However, pollution prevention techniques also include decisions related to construction materials, design, and operational procedures that will facilitate the reduction of wastes at the source. We have several pollution prevention recommendations that may be helpful in constructing or operating this project:

- Consider development of an effective Environmental Management System (EMS). An effective EMS will ensure that the proposed facility is committed to minimizing its environmental impacts, setting environmental goals, and achieving improvements in its environmental performance. DEQ offers EMS development assistance and recognizes facilities with effective Environmental Management Systems through its Virginia Environmental Excellence Program.
- Consider environmental attributes when purchasing materials. For example, the extent of recycled material content, toxicity level, and amount of packaging should be considered and can be specified in purchasing contracts.
- Consider contractors' commitments to the environment (such as an EMS) when choosing contractors. Specifications regarding raw materials and construction practices can be included in contract documents and requests for proposals.
- Choose sustainable materials and practices for infrastructure and building construction and design. These could include asphalt and concrete containing recycled materials, and integrated pest management in landscaping, among other things.
- Integrate pollution prevention techniques into the facility maintenance and operation, to include the following: inventory control (record-keeping and centralized storage for hazardous materials), product substitution (use of non-toxic cleaners), and source reduction (fixing leaks, energy-efficient HVAC and equipment). Maintenance facilities should be designed with sufficient and suitable space to allow for effective inventory control and preventive maintenance.

DEQ's Office of Pollution Prevention provides free information and technical assistance relating to pollution prevention techniques and EMS. If interested, the Park Service may contact that Office (Tom Griffin, telephone (804) 698-4545).

12. Geological Considerations. According to the Department of Mines, Minerals, and Energy, the project is not expected to affect the geology of the area, or mineral resources.

13. Local and Regional Concerns. The Hampton Roads Planning District Commission has indicated that, following its consultation with James City County, it will submit comments directly to the Park Service on this review.

Federal Consistency Determination under the Coastal Zone Management Act

Pursuant to the Coastal Zone Management Act of 1972, as amended, federal activities located inside or outside of Virginia's designated coastal management area that can have reasonably foreseeable effects on coastal resources or coastal uses must, to the maximum extent practicable, be implemented in a manner consistent with the Virginia Coastal Resources Management Program (VCP). The VCP consists of a network of programs administered by several agencies. The DEQ coordinates the review of federal consistency determinations with agencies administering the Enforceable and Advisory Programs of the VCP. The following discussion is based on comments of reviewing agencies.

1. Fisheries Management. The consistency determination discusses temporary, direct impacts to fish habitat from the construction of new boat docks (and breakwater structures; see item 2, below) on the edge of Powhatan Creek and Back River (Draft Plan/EIS, Volume 3, page L-1). Indirect impacts are to be expected from noise and air pollution associated with construction and use of the boat docks. Neither the Marine Resources Commission nor the Game Department commented on these matters.

2. Subaqueous Lands Management. According to the Marine Resources Commission, the Assessment of Effect in the consistency determination addresses subaqueous lands management issues correctly. In addition, any of the facilities listed in Table 2-2 (Draft Plan/EIS, Volume 1, pages 2-17 and 2-18) would require a permit from the Commission if they are likely to affect subaqueous lands.

The consistency determination mentions proposed breakwater structures at the proposed Powhatan Creek pier location (Draft Plan/EIS, Volume 3, page L-1), but the Draft EIS/Plan does not appear to mention these elsewhere. If proposed, these structures could require permitting from the Marine Resources Commission and/or the James City County Wetlands Board and possibly other agencies such as the Army Corps of Engineers.

Questions on Marine Resources Commission and related permitting matters may be addressed to the Commission (Ben Stagg, telephone (757) 247-2200).

3. Wetlands Management. Impacts to tidal wetlands from any of the project facilities would require a permit from the James City County Wetlands Board and possibly also from DEQ's Tidewater Regional Office. See "Regulatory and Coordination Needs," item 10, below.

The statement that “no direct impacts would accrue to wetlands as a result of the proposed action” (Draft Plan/EIS, Volume 3, page L-2) is not consistent with the activities described in Chapter 2 of the Draft Plan/EIS which would affect wetlands and wetland-dependent species. See “Environmental Impacts and Mitigation,” items 1 and 7, above.

Impacts to wetlands are likely to require a Virginia Water Protection Permit from DEQ’s Tidewater Regional Office. See “Regulatory and Coordination Needs,” item 9, below.

4. Dunes Management. According to the consistency determination, no dunes exist within the developed areas of Jamestown Island that would be affected by the proposed action (Draft Plan/EIS, Volume 3, page L-2).

5. Non-point Source Pollution Control. The discussion of this topic in the consistency determination commits the Park Service to address stormwater management for the increased impervious surfaces on Jamestown Island and refers the reader to a description of existing stormwater systems and of impacts to those systems elsewhere in the document (Draft Plan/EIS, Volume 3, pages L-2 and L-3). The impacts discussion (Volume 2, starting at page 4-174 for the preferred alternative) indicates how the Park Service expects to control stormwater runoff associated with the various aspects of the project.

Federal agencies conducting regulated land-disturbing activities on public and private lands in the Commonwealth must comply with the Virginia Erosion and Sediment Control Law, the Virginia Stormwater Management Law (see “Regulatory and Coordination Needs,” item 3, below), and applicable federal mandates including section 313 of the Clean Water Act as well as the Coastal Zone Management Act. The following activities are subject to the Erosion and Sediment Control Law and its implementing regulations, if they would disturb 2,500 square feet or more of land area:

- clearing and grading activities
- installation of staging areas
- parking lots
- roads
- buildings
- utilities
- other structures
- soil/dredge spoil areas
- related land conversion activities.

The Park Service should prepare and implement Erosion and Sediment Control Plans that comply with state law. The Park Service is ultimately responsible for achieving project compliance through oversight of on-site contractors, regular field inspection, prompt action against non-compliance, and/or other mechanisms consistent with agency policy.

6. Point Source Pollution Control. Virginia has established a Virginia Pollutant Discharge Elimination System (VPDES) general permit for stormwater discharges from construction activities (VAR 5), which is required if land disturbance equals or exceeds 5 acres (note: this threshold is reduced to 1 acre after December 4, 2002). Questions in this regard may be addressed to DEQ's Tidewater Regional Office (Bill Cash-Robertson, Regional Permits Manager, telephone (757) 518-2109).

7. Shoreline Sanitation. As the consistency determination indicates, this project will not affect this enforceable program of the VCP (Draft Plan/EIS, Volume 3, page L-3). The Department of Health indicated that Jamestown Island will fully connect to public sewer and water facilities by virtue of the project.

8. Air Pollution Control. The consistency determination did not address whether any air permits may be required for components of the project or its alternatives. However, as indicated above ("Environmental Impacts and Mitigation," item 4), an open burning permit may be required for any open burning of land-clearing or other debris, and a new source review permit may be required for the addition of fuel-burning facilities such as heaters or generators. See "Regulatory and Coordination Needs," item 8, below.

9. Coastal Lands Management. As proposed, the project is inconsistent with this element of the Enforceable Policies. In order to make it consistent, the Park Service must move non-water-dependent activities out of Resource Protection Areas and otherwise provide effective protection to Resource Protection Areas (see "Environmental Impacts and Mitigation," item 7(b), above and "Regulatory and Coordination Needs," item 6, below).

Regulatory and Coordination Needs

1. Underground Storage Tanks and Above-Ground Storage Tanks. DEQ's Tidewater Regional Office indicates that the installation and operation of above-ground and underground petroleum storage tanks, including those mentioned in the tanks inventory (Draft Plan/EIS, page 3-166), should be performed in accordance with Virginia regulations 9 VAC 25-91-10 *et seq.* (above-ground tanks) and 9 VAC 25-580-10 *et seq.* (underground tanks). Assistance in complying with storage tank regulations may be obtained from DEQ's Tidewater Regional Office (Tom Madigan, telephone (757) 518-2115).

2. *Natural Heritage Resources.* Coordination efforts relative to protection of the threatened sensitive joint vetch should include the Department of Agriculture and Consumer Services (Keith Tignor, telephone (804) 786-8938), since that Department has responsibility for state-listed plant and insect species.

3. *Stormwater Management.* Stormwater Management Plan requirements will apply to this project if it involves land disturbance exceeding one acre, for any of the activities listed in the Non-point Source Pollution Control discussion above (see “Federal Consistency,” item 5). As with erosion and sediment control plans, the Park Service is ultimately responsible for achieving project compliance through oversight of on-site contractors, regular field inspection, prompt action against non-compliance, and/or other mechanisms consistent with agency policy. Assistance in stormwater management plan development and implementation is available from the Department of Conservation and Recreation’s York Watershed Office (David Beale, telephone (804) 443-6752).

4. *Asbestos Removal.* It is the responsibility of the owner or operator of a demolition or renovation activity, prior to its commencement, to thoroughly inspect the affected part of the facility for the presence of asbestos, including Category I and Category II non-friable asbestos-containing material (ACM). Upon classification as friable or non-friable, all waste ACM must be disposed of in accordance with the Virginia Solid Waste Management Regulations (9 VAC 20-80-640), and transported in accordance with the Virginia regulations governing Transportation of Hazardous Materials (9 VAC 20-110-10 et seq.) Additional information on this matter is available from DEQ’s Division of Waste Management (telephone (804) 698-4021) and the Department of Labor and Industry (Dr. Clarence Wheeling, telephone (804) 786-0574).

5. *Lead-Based Paint.* The proposed project must comply with the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) regulations, and with the Virginia Lead-Based Paint Activities Rules and Regulations. For additional information regarding these requirements, the Park Service may contact the Department of Professional and Occupational Regulation (Thomas Perry, telephone (804) 367-8595).

6. *Chesapeake Bay Preservation Areas.* As indicated above (“Environmental Impacts and Mitigation,” item 7(a)), the Chesapeake Bay Local Assistance Department requests a copy of the final plans and water quality calculations to verify consistency with the Chesapeake Bay Preservation Area Designation and Management Regulations. These may be sent to Catherine Harold at the Department, Monroe Building, 17th floor, 101 North 14th Street, Richmond, 23219.

Questions on this request or on the discussion of Resource Protection Areas (“Environmental Impacts and Mitigation,” item 7(b) and “Federal Consistency,” item 9,

above) may be addressed to the Chesapeake Bay Local Assistance Department (Catherine Harold, telephone (804) 371-7501).

7. Historic Structures and Archaeological Resources Coordination. To ensure compliance with section 106 of the National Historic Preservation Act, the Park Service must maintain coordination with the Department of Historic Resources (Dr. Ethel Eaton, telephone 367-2323, extension 112) pending a final determination by that Department of potential project impacts upon historic or archaeological resources.

8. Air Quality Regulation. New fuel-burning equipment may require a permit from DEQ's Tidewater Regional Office. When the Park Service has determined what fuel-burning equipment it needs to install in new or renovated buildings, it should contact that Office (5636 Southern Boulevard, Virginia Beach, 23462) and indicate, for each proposed emission unit, the size of the unit and the type of fuel to be burned. Questions in this regard may be addressed to that Office (Jane Workman, Air Permits Manager, telephone (757) 518-2112).

9. Wetlands Regulation. Wetland impacts may require a Virginia Water Protection Permit. This and other permits discussed above ("Federal Consistency," items 2 and 3) may be applied for by using a Joint Federal-State Permit Application Form (JPA) and filing it with the Marine Resources Commission for distribution. In applying for a Virginia Water Protection Permit, the applicant must show that wetlands impacts will be avoided to the maximum extent practicable, and an alternatives analysis will be required. Questions may be addressed to DEQ's Tidewater Regional Office (Bill Cash-Robertson, telephone (757) 518-2109).

10. Subaqueous Bed Encroachment and Tidal Wetlands Regulation. Inquiries regarding permits to encroach in, on, or over state-owned subaqueous lands, or to affect tidal wetlands, may be addressed to the Marine Resources Commission (Ben Stagg, telephone (757) 247-2200).

11. Final Plan and EIS. The Final Plan and EIS should address the concerns discussed above in our comments on the Draft Plan and EIS, including the federal consistency determination. We recommend that the Park Service contact DEQ's Office of Environmental Impact Review (Charles Ellis, telephone (804) 698-4488) when the Final Plan and EIS is published, for assistance in determining the distribution of copies among state agencies.

Mr. Alec Gould
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Thank you for the opportunity to review the Draft Plan and EIS for Jamestown.
We look forward to reviewing the Final Plan and EIS.

Sincerely,

A handwritten signature in black ink, appearing to read "Ellie L. Irons". The signature is stylized with a large, looped "E" and a distinct "I" and "L".

Ellie L. Irons
Program Manager
Office of Environmental Impact Review

Enclosures

cc: Elizabeth Kostelny, APVA
William Cash-Robertson, DEQ-TRO
Keith R. Tignor, DACS
Thomas F. Wilcox, DGIF
Derral Jones, DCR
Susan E. Douglas, VDH
Kotur S. Narasimhan, DEQ-Air
Thomas D. Modena, DEQ-Waste
Brenda K. Winn, DEQ-Water
R. B. Stagg, MRC
Angel N. Deem, VDOT
Ethel R. Eaton, DHR
Catherine M. Harold, CBLAD
Gerald P. Wilkes, DMME
J. Michael Foreman, DOF
John M. Carlock, Hampton Roads PDC
Darryl Cook, James City County
Jane A. Workman, DEQ-TRO
Thomas Madigan, DEQ-TRO

ID	Topic 1	Topic 2	Comment	Response
8.1	Alternatives	General	<p>The Department of Agriculture and Consumer Services, based on the potential impacts of the project on the sensitive joint vetch (a plant listed by the U.S. Fish and Wildlife Service as threatened), indicates that Alternative D would be the best choice from the standpoint of protection of that plant, and that Alternative E would be the second choice (see item 3, below).</p>	<p>Comment noted. Alternative D would be the best choice for protection of the sensitive joint-vetch; however, the APVA and NPS see the need for the hike/bike trail and boardwalk connecting Neck of Land with Jamestown Island. Formal consultation has occurred with the U.S. Fish and Wildlife Service (FWS) and the Biological Opinion will be attached to the signed Record of Decision. Based on discussions with FWS, as well as with the Virginia Department of Conservation and Recreation Division of Natural Heritage (VDNH) and NPS and academic experts, the proposed boardwalk through the Neck of Land wetland has been designed to avoid the last observed location of the plant population and the habitat identified by VDNH as the most suitable (i.e. along the banks of the old road trace). In addition, based on input from the Virginia Institute of Marine Science, the boardwalk would be located at an appropriate height to limit shading impacts on the wetland below.</p>
8.2	Alternatives	Trails	<p>DEQ's Tidewater Regional Office indicates that from the standpoint of wetlands, the boardwalk proposed in Alternatives C and D would have less impact than that proposed in the preferred alternative, Alternative B. DEQ's Water Division recommends a modification to Alternative B to minimize the impacts on wetlands (item 2, below).</p> <p>As indicated above, the hiking/biking boardwalk proposed in Alternatives C and D would appear to have less impact on wetlands than the preferred alternative, Alternative B. Alternative B would cross over not only an extensive wetland section, but also over wetlands with the highest ecological value of all the wetlands analyzed, according to DEQ's Tidewater Regional Office. In this regard, DEQ's Water Permits Support Office recommends Park Service consideration of a variation of Alternative B. This would involve having the path and boardwalk follow the Old Road Trace, which is apparent on the Neck of Land in Figure 3-9, straight across the wetland (south) toward the Back River instead of diagonally southeast across it. This would necessitate putting the bridge across the Back River farther northwest, opposite a forested upland between two wetland areas. It would be necessary, in this event, to bring the hiking/biking path through the grove of trees south of the Back River and back to the western side of the reduced parking area. The advantage of this revision is that it would use an existing, previously disturbed roadbed rather than crossing marshland and waterways on a new alignment.</p>	<p>The boardwalk experience and educational opportunities have been identified as critical aspects of the interpretive experience. Both the APVA and NPS see the hike/bike boardwalk as a wonderful opportunity to educate visitors on the American Indian experience as well as the natural environment. Tribes consulted during the planning process are also excited about this aspect of the Jamestown Project. The boardwalk has been located and "designed" in order to minimize the indirect impacts to the wetland vegetation below. Based on input from the Virginia Institute of Marine Science, the boardwalk would be located at an appropriate height to allow sunlight penetration.</p> <p>The suggestion of using the old road trace was actually the original route proposed by the planning team; however, at the end of 2000, the sensitive joint-vetch and a new bald eagle nest prompted the rerouting of the trail. The trail has been designed with guidance from the U.S. Fish and Wildlife Service, the Virginia Department of Conservation and Recreation Division of Natural Heritage (VDNH), and NPS and academic experts. Overall, the trail is located to avoid the last observed location of the plant population and the habitat identified by VDNH as the most suitable (i.e. along the banks of the old road trace). In addition because of the distance, impacts on the bald eagle from the boardwalk traffic have been minimized.</p>

ID	Topic 1	Topic 2	Comment	Response
8.3	Natural Resources	Natural Resources	Jamestown is in an ozone maintenance area and an emission control area for the contributors to ozone pollution, which are volatile organic compounds (VOCs) and oxides of nitrogen (NOx). This has two practical consequences for project development. One is that the Park Service should take all reasonable precautions to limit emissions of VOCs and NOx, principally by controlling or limiting the burning of fossil fuels. A second precaution, stemming from 9 VAC 5-40-5490 in the Regulations for the Control and Abatement of Air Pollution, is that there are some limitations on the use of "cut-back" (liquefied asphalt cement, blended with petroleum solvents) that may apply in the construction of the roads or paths associated with the project. The asphalt must be "emulsified" (predominantly cement and water with a small amount of emulsifying agent) except when specified circumstances apply. Moreover, there are time-of-year restrictions on its use during the months of April through October in VOC emission control areas.	Information has been added to the Consistency Determination related to these requirements. The APVA and NPS will be responsible for obtaining any required permits for open burning and/or fuel burning activities. In addition, during construction all reasonable precautions shall be taken to limit emissions of volatile organic compounds (VOCs) and oxides of nitrogen (NOx) and the release of fugitive dust. Precautions and requirements listed in the Virginia Regulations for the Control and Abatement of Air Pollution will be followed.
8.4	Natural Resources	Natural Resources	DEQ's Office of Air Data Analysis recommends that during construction, fugitive dust be kept to a minimum by using control methods outlined in 9 VAC 5-50-60 et seq. of the Virginia Regulations for the Control and Abatement of Air Pollution.	Comment noted. Fugitive dust will be kept to a minimum by using the suggested control methods as well as those identified by NPS guidelines.
8.5	Natural Resources	Natural Resources	If project activities include the burning of construction or demolition material, they must meet the requirements under 9 VAC 5-40-5600 et seq., for open burning, and a permit may be required. The Regulations provide for, but do not require, the local adoption of a model ordinance concerning open burning; the Park Service should contact James City County officials to determine what local requirements, if any, exist.	Information has been added to the Consistency Determination related to these requirements. The APVA and NPS will be responsible for obtaining any required permits for open burning and/or fuel burning activities. In addition, during construction all reasonable precautions shall be taken to limit emissions of volatile organic compounds (VOCs) and oxides of nitrogen (NOx) and the release of fugitive dust. Precautions and requirements listed in the Virginia Regulations for the Control and Abatement of Air Pollution will be followed.

ID	Topic 1	Topic 2	Comment	Response
8.6	Natural Resources	Natural Resources	The new or reconfigured buildings proposed in several of the Alternatives are likely to need space heating or emergency power. In the event boilers are required for heating, or generators are required for emergency power generation, these buildings may require permits from DEQ's Tidewater Regional Office. That Office requests a letter from the Park Service describing, at a minimum, the size of the units to be installed and the type of fuel to be burned for any stationary air emission units. DEQ's Tidewater Regional Office states that natural gas or low-sulfur fuel oil are preferred fuels.	
8.7	Natural Resources	Natural Resources	<p>According to DEQ's Waste Division, Office of Remedial Programs (hereinafter "DEQ's Waste Division") the Draft Plan/EIS addressed hazardous waste issues (see Draft Plan/EIS, Volume 2, pages 4-128 through 4-134, section 4.3.2.13), but did not address solid waste or pollution prevention.</p> <p>In this regard, DEQ's Waste Division recommends the reduction of waste at the source, re-use of materials, and recycling of solid wastes. See also item 11, below.</p> <p>Any soil suspected of contamination, or any wastes generated, must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations.</p> <p>These include, but are not limited to the Virginia Hazardous Waste Management Regulations (9 VAC 20-60), the Virginia Regulations for the Transportation of Hazardous Materials (9 VAC 20-110), and the Virginia Solid Waste Management Regulations (9 VAC 20-80).</p>	

ID	Topic 1	Topic 2	Comment	Response
8.8	Natural Resources	Natural Resources	<p>The Draft Plan/EIS indicated that asbestos-containing materials (ACM) and lead-based paint are present in structures that are to be renovated or demolished (pages 4- 128 through 4-134, section 4.3.2.13). In addition to federal regulations, state regulations on ACM (9 VAC 20-80-640) and on lead-based paint (9 VAC 20-60-26 1) must be followed.</p> <p>The Draft Plan/EIS states that the landfill where the construction and demolition debris would be disposed must be informed that the waste contains non-friable ACM. The first regulation cited above indicates that Category I and Category II non-friable ACM may be disposed of in a construction and demolition debris landfill providing daily soil covering, so long as the operator is notified and other pertinent requirements met (see 9 VAC 20-80-640.D.). See "Regulatory and Coordination Needs," items 4 and 5, below.</p>	Materials to be disposed of that contain asbestos and/or lead-based paint would be disposed of properly, following both federal and state regulations.
8.9	Natural Resources	Natural Resources	<p>Paintbrushes in the Mule Barn/Restoration Shop. The Draft Plan/EIS indicates that paintbrushes were routinely cleaned in the sink in that Shop, which drains to the exterior soil surface, and recommends testing of the soils in case of demolition or new construction (page 3- 167, section 3.3.2.15, "Oil and/or Other Hazardous Materials" heading). The Final Plan and EIS should indicate the nature of the paint and the cleaner, because the activity would fall under the Resource Conservation and Recovery Act (42 U.S. Code, section 6901 et seq.) and would need to be reported and cleaned up.</p>	Further interviews will be conducted with APVA staff to determine the types and uses of paint and cleaners in this area. If it is determined that lead-based paint was used in this area, then soil tests will be conducted prior to demolition or new construction. At this time, however, the Jamestown Project does not propose any action at the Mule Barn/Restoration Shop.
8.10	Natural Resources	Natural Resources	<p>NPS Maintenance Fire Cache Building. The Draft Plan/EIS indicates the presence of a small fenced area containing sand piles and tar debris, where petroleum odors were observed in the sand piles (page 3-167). The Final Plan and EIS should indicate the disposition of the sand piles.</p>	The Preferred Alternative does not propose any actions within the NPS Maintenance Facility at Jamestown.

ID	Topic 1	Topic 2	Comment	Response
8.11	Natural Resources	Natural Resources	Buried Munitions Site. The Draft Plan/EIS states that munitions were buried in 1975-76, and removed by naval personnel in June 2001 (page 3-167). No soil samples were taken to determine whether lead contamination was present. The Final Plan and EIS should explain why no soil samples were taken and show that the management of this site adheres to all regulatory requirements.	As noted in the document, a naval reserve unit was responsible for the removal of the munitions within this area. At the time of removal, the naval unit did not take soil samples to test for lead because the Jamestown Project proposed no actions within this area (east of the Townsite). The unit was there only to remove the buried munitions. If soil samples are required, then the NPS shall coordinate with DEQ, as necessary.
8.12	Natural Resources	Natural Resources	Disposal of Lead, Thermostats, and Light Tubes. The Draft Plan/EIS indicates that the Park Service must apply for and obtain an EPA identification number in order to dispose of light bulbs and thermostats containing mercury, and secure the services of a contractor to properly remove the waste (Volume 2, page 4-129, section 4.3.2.13). However, if the Jamestown unit of Colonial National Historical Park has disposed of hazardous waste in the past, the Park Service may have obtained a provisional EPA ID number. Once a waste has been determined to be hazardous, the facility must comply with all applicable sections of the regulations in Title 40, Code of Federal Regulations, sections 260-299.	
8.13	Natural Resources	Natural Resources	Stormwater Management and Water Quality Protection. The Chesapeake Bay Local Assistance Department (hereinafter "CBLAD") indicates its satisfaction that the Park Service is committed to reducing impacts from runoff by using Best Management Practices (BMPs). CBLAD requests a copy of the final plans and water quality calculations to verify consistency with the Chesapeake Bay Preservation Area Designation and Management Regulations (hereinafter "the Regulations") and their Performance Criteria.	

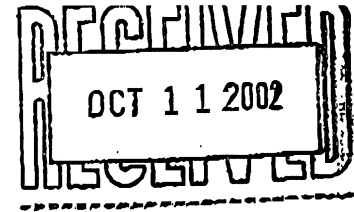
ID	Topic 1	Topic 2	Comment	Response
8.14	Natural Resources	Natural Resources	A number of types of activity are subject to the Virginia Stormwater Management Regulations, administered by the Department of Conservation and Recreation, if they will cause land disturbance of one acre or more. See "Federal Consistency," item 5 and "Regulatory and Coordination Needs," item 3, below.	
8.15	Natural Resources	Natural Resources	Some of the proposed expansions in the area of the Jamestown Rediscovery Center will encroach into environmentally sensitive areas, as described at the beginning of this Item (hereinafter referred to as Resource Protection Areas (RPAs). No justification is provided as to why this is necessary, versus construction on the south side of the collections and storage buildings. In order to be consistent with the Chesapeake Bay Preservation Area Designation and Management Regulations, the parking and other features should be reconfigured so as to avoid this encroachment, particularly since there are non-RPA areas in the immediate vicinity. Only water-dependent activities, redevelopment, and specific exempted activities/features are permitted within the 100-foot buffer area. Therefore, all proposed structures or parking facilities should be located at a sufficient distance from the RPA boundary so as to avoid any disturbance within these areas.	The south side of the Jamestown Rediscovery Center (Yeardley House) is part of a significant cultural landscape. Any building on this side of the house would compromise the character of the historic landscape. The proposed expansion north and west of the Jamestown Rediscovery Center would occur in previously disturbed area (i.e. where the existing unpaved parking and access road exists).
8.16	Natural Resources	Natural Resources	The new modal transfer facility shown in Figure 4-2 (Draft Plan/EIS, page 4-62) extends significantly into the RPA. From the description of this area (Draft Plan/EIS, page 4-44), it appears that there may be a shelter or structure associated with this feature. While recreational trails are permitted in the RPA, non-water-dependent structures are not. It appears that this transfer station could be shortened and still achieves the same purpose (i.e., end it at the dock).	

ID	Topic 1	Topic 2	Comment	Response
8.17	Natural Resources	Natural Resources	While the boardwalks, bridges and dock/decking are exempted features, CBLAD noted that there appears to be no compensatory mitigation proposed for the impacts these will likely cause as a result of shading.	
8.18	Natural Resources	Natural Resources	<p>Forest and Tree Protection. In order to protect trees in the project area from the effects of construction activities, the Park Service should mark and fence trees at least to the dripline or the end of the root system, whichever extends farther from the tree stem.</p> <p>Marking should be done with highly visible ribbon so that equipment operators see the protected areas easily.</p> <p>Parking and stacking of heavy equipment and construction materials near trees can damage root systems by compacting the soil. Soil compaction, from weight or vibration, affects root growth, water and nutrient uptake, and gas exchange. The protection measures suggested above should be used for parking and stacking as well as for moving of equipment and materials. If parking and stacking are unavoidable, the Park Service should use temporary crossing bridges or mats to minimize soil compaction and mechanical injury to plants.</p> <p>Any stockpiling of soil should take place away from trees. Piling soil at a tree stem can kill the root system of the tree. Soil stockpiles should be covered, as well, to prevent soil erosion and fugitive dust.</p>	

ID	Topic 1	Topic 2	Comment	Response
8.19	Natural Resources	Natural Resources	Pollution Prevention. DEQ advocates that principles of pollution prevention be used in all construction projects as well as in facility operations. Effective siting, planning, and on-site Best Management Practices (BMPs) will help to ensure that environmental impacts are minimized. However, pollution prevention techniques also include decisions related to construction materials, design, and operational procedures that will facilitate the reduction of wastes at the source. We have several pollution prevention recommendations that may be helpful in constructing or operating this project.	
8.20	Natural Resources	Natural Resources	Fisheries Management. The consistency determination discusses temporary, direct impacts to fish habitat from the construction of new boat docks (and breakwater structures; see item 2, below) on the edge of Powhatan Creek and Back River (Draft Plan/EIS, Volume 3, page L-1). Indirect impacts are to be expected from noise and air pollution associated with construction and use of the boat docks.	Comment noted. These indirect impacts will be added to the document.
8.21	Natural Resources	Natural Resources	Subaqueous Lands Management. According to the Marine Resources Commission, the Assessment of Effect in the consistency determination addresses subaqueous lands management issues correctly. In addition, any of the facilities listed in Table 2-2 (Draft Plan/EIS, Volume 1, pages 2-17 and 2-18) would require a permit from the Commission if they are likely to affect subaqueous lands.	Necessary permits would be obtained from the Virginia Marine Resources Commission for impacts to subaqueous lands.
8.22	Natural Resources	Natural Resources	The consistency determination mentions proposed breakwater structures at the proposed Powhatan Creek pier location (Draft Plan/EIS, Volume 3, page L-1), but the Draft EIS Plan does not appear to mention these elsewhere. If proposed, these structures could require permitting from the Marine Resources Commission and/or the James City County Wetlands Board and possibly other agencies such as the Army Corps of Engineers.	Shoreline stabilizations are not being proposed as part of the Jamestown Project. Shoreline stabilizations were presented in the Shoreline Management Plan for Jamestown Island, Powhatan Creek, Sandy Bay, Back River, The Thorofare, and James River Shorelines. This document was prepared by the Virginia Institute of Marine Science for Colonial National Historical Park.

ID	Topic 1	Topic 2	Comment	Response
8.23	Natural Resources	Natural Resources	<p>Wetlands Management. Impacts to tidal wetlands from any of the project facilities would require a permit from the James City County Wetlands Board and possibly also from DEQ's Tidewater Regional Office. See "Regulatory and Coordination Needs," item 10, below.</p> <p>The statement that "no direct impacts would accrue to wetlands as a result of the proposed action" (Draft Plan/EIS, Volume 3, page L-2) is not consistent with the activities described in Chapter 2 of the Draft Plan/EIS which would affect wetlands and wetland-dependent species. See "Environmental Impacts and Mitigation," items 1 and 7, above.</p> <p>Impacts to wetlands are likely to require a Virginia Water Protection Permit from DEQ's Tidewater Regional Office. See "Regulatory and Coordination Needs," item 9, below.</p>	<p>A permit from the James City County Wetlands Board will be required for impacts to tidal wetlands. A copy of the Final DCP/EIS will be provided to the Wetlands Board. As proposed, the project consultants do not think that a permit is required from DEQ's Tidewater Regional Office for the indirect impacts to wetlands. As defined in the Draft DCP/EIS, impacts to jurisdictional wetlands would be limited to indirect effects from construction of the boardwalk and pedestrian footbridge (see Section 4.3.2.5). Additionally, a non-jurisdictional, isolated wetland (approximately 1500 square feet) would be directly impacted by placement of fill material. This wetland currently exists atop a sanitary drain field which is proposed for removal. The APVA and NPS will coordinate with DEQ's Tidewater Regional Office to determine if permits are required for these actions.</p>
8.24	Natural Resources	Natural Resources	<p>Federal agencies conducting regulated land-disturbing activities on public and private lands in the Commonwealth must comply with the Virginia Erosion and Sediment Control Law, the Virginia Stormwater Management Law (see "Regulatory and Coordination Needs," item 3, below), and applicable federal mandates including section 313 of the Clean Water Act as well as the Coastal Zone Management Act.</p> <p>The Park Service should prepare and implement Erosion and Sediment Control Plans that comply with state law. The Park Service is ultimately responsible for achieving project compliance through oversight of on-site contractors, regular field inspection, prompt action against non-compliance, and/or other mechanisms consistent with agency policy.</p>	<p>The APVA and NPS will prepare and implement Erosion and Sediment Control Plans that comply with not only state law, but James City County as well. In addition, both agencies will be responsible for achieving project compliance through oversight of on-site contractors, regular field inspections, prompt action against non-compliance, and/or other acceptable methods to be determined.</p>

ID	Topic 1	Topic 2	Comment	Response
8.25	Natural Resources	Natural Resources	Air Pollution Control. The consistency determination did not address whether any air permits may be required for components of the project or its alternatives. However, as indicated above ("Environmental Impacts and Mitigation," item 4), an open burning permit may be required for any open burning of land-clearing or other debris, and a new source review permit may be required for the addition of fuel-burning facilities such as heaters or generators. See "Regulatory and Coordination Needs," item 8, below.	Information has been added to the Consistency Determination related to these requirements. The APVA and NPS will be responsible for obtaining any required permits for open burning and/or fuel burning activities. In addition, during construction all reasonable precautions shall be taken to limit emissions of volatile organic compounds (VOCs) and oxides of nitrogen (NOx) and the release of fugitive dust. Precautions and requirements listed in the Virginia Regulations for the Control and Abatement of Air Pollution will be followed.
8.26	Natural Resources	Natural Resources	Coastal Lands Management. As proposed, the project is inconsistent with this element of the Enforceable Policies. In order to make it consistent, the Park Service must move non-water-dependent activities out of Resource Protection Areas and otherwise provide effective protection to Resource Protection Areas (see "Environmental Impacts and Mitigation," item 7(b), above and "Regulatory and Coordination Needs," item 6, below).	
8.27	Natural Resources	Natural Resources	Underground Storage Tanks and Above-Ground Storage Tanks. DEQ's Tidewater Regional Office indicates that the installation and operation of above-ground and underground petroleum storage tanks, including those mentioned in the tanks inventory (Draft Plan and EIS, page 3-166), should be performed in accordance with Virginia regulations 9 VAC 25-91-10 et seq. (above-ground tanks) and 9 VAC 25-580-10 et seq. (underground tanks).	Comment noted. Any removal, installation, or operation of aboveground or underground storage tanks will be performed in accordance with Virginia regulations 9 VAC 25-91-10 et seq. and 9 VAC 25-580-10 et seq.
8.28	Natural Resources	Natural Resources	Final Plan and EIS. The Final Plan and EIS should address the concerns discussed above in our comments on the Draft Plan and EIS, including the federal consistency determination.	The Final DCP/EIS will be modified, where necessary, based on the comments provided. In addition, responses to individual comments will be provided in Chapter 5 of the Final DCP/EIS. Further consultation and coordination will be carried out by the APVA and NPS as the project moves from the planning phase to the design phase (i.e. site plan approvals and permits).



COMMONWEALTH of VIRGINIA

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October 1, 2002

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Alec Gould, Superintendent
United States Department of the Interior
National Park Service
Colonial National Historical Park
Post Office Box 210
Yorktown, Virginia 22405

Re: Draft Development Concept Plan/Environmental Impact Statement
The Jamestown Project
Colonial National Historical Park
James City County, Virginia
DHR File No. 2001-0885

Dear Mr. Gould:

Thank you for seeking our comments on the Draft Development Concept Plan/Environmental Impact Statement for the Jamestown Project. Technical comments are provided as an enclosure to this letter. It is my pleasure to express our enthusiastic and full support of the stated goals of the project to:

- Improve the quality of the visitor experience
- Protect the Jamestown collection and associated archival materials
- Enhance research and educational opportunities
- Strengthen the APVA/NPS Partnership

Jamestown represents a unique national resource, and the care and presentation of the National Park Service and the Association for the Preservation of Virginia Antiquities properties and collections relating to Jamestown Island are matters of great importance to every American. It is from the 1607 settlement at Jamestown that both Virginia and the United States have their beginnings as political and cultural entities. The contact between the Jamestown colonists and the area's native inhabitants, the Powhatan Indians, helped set the pattern for intercultural relationships in the English-speaking portions of North America. At a slightly later point in time Jamestown also played a central role in the introduction of Africans into Virginia, adding a third major ethnic group to an emerging and distinctly American multi-ethnic society.

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Even in the 21st century the political and cultural legacies of Jamestown remain a vital force in shaping America's self image. Now and in the future millions of Americans will continue to learn and to be inspired by the Jamestown legacy which the NPS and APVA preserve and interpret. In this regard, the strategies for creating an updated visitor experience and for improving facilities are a tribute to an effective working partnership and will be central to the success of the upcoming 400th anniversary of Jamestown. The visitors' experience of the Jamestown Project will greatly benefit regional tourism and economic vitality of the Peninsula and will contribute to heritage tourism throughout the Commonwealth.

For all these reasons, my staff and I look forward to working with you on a project critical to Virginia and the nation as a whole. If you have any questions, please feel free to call me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kilpatrick', written over a horizontal line.

Kathleen S. Kilpatrick, Director
Department of Historic Resources

General Comments

The Department of Historic Resources has carefully considered the five alternate plans, including the No Action Alternative (Alternative A) and the four action alternatives. The Department supports the selection of Alternative B, the preferred alternative. Although Alternative B will have a greater impact to historic properties than other alternatives, it also offers the greatest possibilities for the interpretation of Jamestown, its resources and its larger historical context. As such, Alternative B best fulfills the mission of the National Park Service/Association for the Preservation of Virginia Antiquities Partnership.

Section 5.31.1 of the document accurately represents the National Park Service's consultation with the Advisory Council on Historic Preservation and with the Department pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended through 1992 and the Service-wide 1995 programmatic agreement among the National Conference of State Historic Preservation Officers, the Council and the National Park Service. The National Park Service has also conducted an exemplary program of public involvement throughout the planning process.

Section 4.3.1 describes Impacts to Cultural Resources. All four action alternatives may have an Adverse effect on historic properties. In accordance with the National Historic Preservation Act of 1966, as amended through 1992, adverse effects are resolved through an agreement on measures taken to reduce, avoid, or mitigate these effects. The measures are arrived at through a process of consultation. As noted in Section 5.3.1, once an alternative is selected through the NEPA process, the NPS and the APVA will consult with the Department as Virginia's State Historic Preservation Office and the Advisory Council on Historic Preservation, to develop such an agreement. Implementation of its terms will fulfill the NPS's responsibilities under Section 106.

The National Park Service has carefully considered historic properties in its analysis of the four action alternatives. The Colonial Parkway, the Colonial National Historical Park-Jamestown Island, and the Jamestown National Historic Site (the APVA property) are listed on the National Register of Historic Places. The revision to the Jamestown National Register nomination as well as a Determination of Eligibility (DOE) for the Post World War II/Mission 66 landscape are currently under review by the Department. The *Cultural Landscape Report* (Oculus 2002) describes buildings, structures, objects and spatial organization found in the landscape and will be submitted to the Department once internal NPS review is complete.

Moreover, the NPS has conducted extensive archeological surveys and the resulting reports have been submitted to the Department. As stated in Section 4.3.1.2, based upon the documentation provided on the alternatives under consideration, we have agreed that no further identification efforts are required. Possible treatments of eligible archeological sites may include recovery of data, avoidance or site burial. The APVA has been actively excavating sites and interpreting them to the public for several years.

Discussions with the APVA concerning the results of those excavations also indicate that little further archeological work needs to be done. Documentation of these ongoing excavations will be sent to us for review as part of the anticipated agreement.

The impact analysis presented in Table 4-2 is based on proposed development and construction. The potential effects of interpretive plans are not known at this time, but additional survey, if necessary, can be completed in consultation with the Department. A plan to treat post-review discoveries can also be developed in accordance with Section 800.13 of the Council's regulations implementing the Section 106 process. Section 4.3.1.1 of the DDCP/EIS states that the Park Service will develop a implementation plan in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA) for discussing archeological discoveries and post-review discoveries with the Virginia Council on Indians and the United Indians of Virginia. The Department supports such a plan.

Comments on Alternatives

Alternative A. No action alternatives typically do not affect historic properties. This alternative, however, is a continuation of current management practices at Jamestown. We would like to take this opportunity to express our concern that, under this alternative, the NPS Jamestown collection remains at risk in the basement of the 1957 Visitor Center. As stated in DDCP/DEIS, 3.3.1.5, the museum storage space no longer meets NPS museum standards. In addition, the National Park Service, and other federal agencies, must meet the federal regulations entitled, *Curation of Federally Owned and Administered Archeological Collections* (36 CFR 79). The collection consists of approximately 600,000 items, mostly 17th century artifacts and their accompanying documentation, from 70 years of archeological work at Jamestown Island, Glasshouse Point, Neck of Land and Green Spring, including some of the earliest Euro-American ceramics ever recovered. This collection is of inestimable importance to the discipline of historical archaeology. Although the NPS has made the best provision for these materials possible under the current circumstances, space is tight, making the collections difficult to manage and study. Current conditions require sandbags to be placed at outside entrances during heavy rains. A major storm or hurricane may cause irreparable damage to these irreplaceable materials. The no action alternative leaves the NPS collections at risk for mold, vandalism, and weather. The APVA collections are now housed in a wing of the Yeardley House where conditions are very good. Both the APVA and the NPS, however, lack adequate and appropriate space for exhibit of their respective collections and space for scholars to work with the artifacts.

Alternative B, the Preferred Alternative. This alternative involves replacing the visitor center, adding an intermodal transportation facility, allowing foot, bicycle, boat, or shuttle transit to Jamestown Island, reuse of the existing visitor center to make an observation building, and the addition of a research and storage center, enabling the NPS to remove its collections from the basement of the visitor center. The preferred alternative will create a joint curation facility at the Yeardley House on APVA property. The structure would be elevated to protect the collections from high water or

storm surge. This could be accomplished using pile foundations or tall CMU foundation walls. Sharing research, teaching and interpretation would strengthen the NPS-APVA partnership and locating the collections in one facility would enhance the ability of staff and researchers to use and study them together.

Alternative C. This alternative is similar to Alternative B except that it would have a larger intermodal transportation center, housing collections storage and the Visitor Center on Neck of Land. The NPS Jamestown collections would be out of the 500-year floodplain and in a secure environment. However, the APVA will not move their collection from the Island and the opportunity to have a joint research and educational and display facilities would be lost, potentially weakening the partnership. In addition, this alternative may affect significant archaeological sites at Neck of Land.

Alternative D. This alternative proposes very little new construction in undisturbed areas and so has the least effect on archeological resources. In contrast, however, reconfiguring the existing Visitor's Center as a Visitor Center/Educational Facility/NPS Collections/Observation Building requires a dramatic increase in the size and height of the building, creating an intrusion into the historic landscape. In alternative D the NPS Jamestown collections would remain on the Island in the Visitor Center. However, to house them above the 500-year food plane, an additional story would be added. The APVA collections will remain at the Yeardley House and continued separation of the collections may weaken the NPS/APVA partnership.

Mitigation to offset the appearance of a multistory building in the historic landscape would be challenging and require consultation on creative approaches, perhaps partly achieved through interpretation. Alternative D, however, does not provide the opportunity for interpretation available through different approaches to the Island. This alternative would not fulfill the goal of telling a more inclusive story of the diverse experiences of American Indians, Europeans, and Africans on the island. This might discourage the full range of visitors. For this reason, if this alternative were chosen we would recommend the addition of water access through a water taxi at the Jamestown Marina, and adding stops as indicated in alternative B. These stops do increase the potential for effects on archeological sites, though these may be effectively dealt with as discussed in Alternative B. Creating a positive visitor experience, avoiding congested parking areas, especially at the Jamestown-Yorktown Foundation and at Glasshouse Point, and avoiding increased visitor confusion resulting from an apparent choice of three Jamestowns rather than "one" Jamestown, will be more difficult and require increased collaboration on signage, marketing tickets, access, and interpretation between the Colonial Williamsburg Foundation, the Jamestown-Yorktown Foundation, the National Park Service and the Association for the Preservation of Virginia Antiquities.

Alternative E. This alternative is similar to the preferred alternative (B), except for housing the NPS collections remotely in Williamsburg or James City County. Possibilities not mentioned in the document might include a single NPS facility to house

all the Park collections that could be built at Green Spring (Green Spring collections are currently in the basement at the existing Visitors Center), or at Yorktown. Location at either the Green Spring Unit or Yorktown would avoid the expense of acquiring additional land, but would raise additional issues regarding effects to archeological resources and historic landscapes.

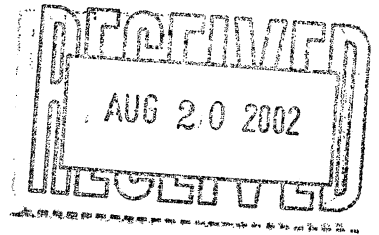
Finally, we note that the Jamestown-Yorktown Foundation is building an 8,000 square-foot collections facility in James City County off Route 199 that has access to the Colonial Parkway. Collaboration with the Foundation could result in facility that would jointly house the Foundation's 17th Century collections from the Governor's Land excavations, the NPS Jamestown collections and those from Green Spring. All of these locations would be off the Island. The Combined Jamestown-Yorktown Collections facility was considered and rejected (Section 2.4.6). Under this alternative, the APVA collections will remain at the Yeardley House and separating the collections may serve to weaken the NPS/APVA partnership and hamper the collaborative research and education sought by both the NPS and APVA.

If you have any questions concerning our comments, please do not hesitate to contact Ethel R. Eaton, Manager, Office of Review and Compliance, at (804) 367-2323, ext. 112; eeaton@visi.net.



VIRGINIA TOURISM CORPORATION

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August 16, 2002

Mr. Alec Gould
Superintendent
Colonial National Historic Park
P.O. Box 210
Yorktown, Virginia 23690

Dear Mr. Gould:

Governor Warner has asked me to respond to your letter concerning the Jamestown Project Draft Development Concept Plan/Environmental Impact Statement.

The work being done by the National Park Service and the Association for the Preservation of Virginia Antiquities is extremely important as we move toward the Jamestown Commemoration in 2007. The quality of that work is evident in the planning documents you forwarded to the Governor's attention.

The Virginia Tourism Corporation will post an announcement of the availability of the documents on its industry Website, www.vatc.org. We will also send a representative to the meeting on September 12.

Please feel free to contact me if we can be of further assistance.

Very truly yours,

Rita D. McClenny
Interim President

RDM/bat



DEVELOPMENT MANAGEMENT

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September 30, 2002

Mr. Alec Gould, Superintendent
Colonial National Historical Park
PO Box 210
Yorktown, VA 23690

Re: The Jamestown Project: Draft Development Concept Plan/Environmental Impact Statement.

Dear Alec:

Staff from various James City County departments have reviewed the Jamestown Project Draft Development Concept Plan/Environmental Impact Statement and staff supports the National Park Service's preferred Alternative B. The Colonial National Historical Park is a tremendous asset to visitors and the local community. With the proposed improvements, we believe the visitor's experience to both Jamestown Island and Jamestown Settlement will be significantly improved. In that spirit, we would like to offer the following suggestions to further improve the visitor's experience and to enhance the Park's value as an asset to the local community:

1. The County has adopted a Bicycle Plan and a Greenways Plan with many facilities in the area. To help implement these plans, bicycle and pedestrian access to the Island and the Neck O'Land facility should be directly linked to the surrounding local community. This could be initially accomplished by providing a multi-use path from the soon-to-be constructed Rt. 359 multi-use path to the Island Visitor Center and the Neck O'Land intermodal facility, and from the existing Neck O'Land Road multi-use path connection to the Neck O'Land intermodal facility. Another multi-use connection from the existing Treasure Island Road multi-use connection to the intermodal facility and to the Green Spring site should be provided in the future. Finally, a multi-use path along the Colonial Parkway is recommended in the County's Greenway Plan. This along with connections to other County Greenway facilities should be included as future projects. Possible partnerships with the County for may be possible for the linkages to County bicycle and pedestrian facilities.
2. Public water access to the James River and other water bodies in the vicinity of the project is a dire need, and supported by the County's Comprehensive Plan and Greenways Plan. Simple, inexpensive facilities (i.e., sand beach, floating dock, or concrete steps) for launching small, nonmotorized boats (canoes and kayaks) by foot or use of hand-pull carts should be provided as a component of the project in as many locations as possible. Indeed, as stated in the NPS study, boats were relied

Mr. Alec Gould
September 30, 2002
Page 2

upon by the early colonists and native inhabitants more than roads. Existing public access areas are too far away to make use of nonmotorized boats practical for trips on the water bodies surrounding the Island. By providing nonmotorized boat launching facilities in the area, visitors and locals could experience travel in much the same way as the colonists and natives, and better appreciate the Island's development context, historical importance, and physical challenges, all of which are goals of the NPS project. Nonmotorized, hand carried boats provide this experience much better than larger, motorized watercraft.

In addition to the above suggestions, more detailed comments and questions from several James City County departments have been collected and are included in a separate attachment.

If you have any questions about any of the above comments, please do not hesitate to call. We look forward to working with the National Park Service as you prepare for the celebrations in 2007.

Sincerely,



John T.P. Home
Development Manager

Cc: Sandy Wanner
John Carnifax
Darryl Cook
Larry Foster
Richard Miller
Brad Rinehimer
Marvin Sowers

Attachment

The Jamestown Project
James City County Comments
September 30, 2002

Planning:

1. The proposed expansions and renovations take place on a combination of federal and privately owned land, some of which fall under County jurisdiction. Please contact the Planning Division if you have any questions about the various County requirements, approvals and permits required for the proposed development.
2. Several of the maps do not show the completion of Route 199 from Jamestown Road to I-64 nor the recently completed Monticello Extension (Alternate Route 5).
3. The mean low water vertical and horizontal clearances of the proposed bikeway and pedestrian bridge over Back River should match or exceed that of the Colonial Parkway.
4. While County staff supports the concept of the Neck O'Land intermodal facility, it should be carefully designed to avoid any negative impacts on nearby residents. Lighting should meet County standards (i.e., recessed or cut-off fixtures), and sound from any outdoor speaker systems should not be audible at the Colonial Parkway boundary.
5. In Volume 1, 3-168 the description of R-8, Rural Residential Property, is from the James City County Zoning Ordinance, not the 1997 James City County Comprehensive Plan Land Use Plan.
6. None of the 2000 Census Data has been included in this report and the residential potential analysis referenced on page 3-172 has been updated since 1996.
7. On page 3-178, a fifth fire station on Monticello Extended (Alternate Route 5) has been opened.
8. Bike access should be as "seamless" as possible. Currently, bicyclists can easily access the Island without having to park and go into a building to produce a pass. A similar approach should be used at the Neck-O-Land intermodal facility.

Environmental:

General Comments

The concept plan and environmental impact statement for the project are very comprehensive and complete in their discussion of James City County's requirements and ordinances. The following is a brief discussion of the general issues related to some of the County's programs as they could impact the project:

1. Resource Protection Areas. Prior to encroachments into or activities in RPAs, a variance called a waiver or exception must be granted by the County. The granting of these variances is currently an administrative action taken by the Environmental Director. However, after adoption of required revisions to the Chesapeake Bay Preservation Ordinance, which will occur no later than March 1, 2003, some variances will be required to go through a public hearing process and approval by a County board authorized to grant these variances. The proposed use of RPAs should be coordinated with the County as soon in the planning process as possible to minimize potential delays or modifications to plans.
2. Resource Protection Areas. Figure 3-11 shows the location of RPAs on Jamestown Island and Neck of Land. While these areas may have been delineated by the project's consultants, there has been no confirmation by the County of the specific location of the RPAs.

The Jamestown Project
James City County Comments—Page 2
September 30, 2002

Environmental, cont.

3. Stormwater Management. The portion of the project on Jamestown Island and the Glasshouse area would be considered redevelopment under the County's stormwater program. As such, the post-development water quality load needs to be reduced by 10% below the existing levels. Generally this is accomplished through the use of stormwater management Best Management Practices or BMPs. Another way compliance with this standard can be met is through a 10% reduction in impervious cover. While the reduction in impervious cover for the Island or Glasshouse area was not documented, it may be possible for those portions of the project to achieve compliance through a reduction in impervious cover. New parking areas for the Intermodal Transportation Facility would need to meet the County's BMP Point System.

Permitting Issues

A minor omission was made on Table 1-1. This table which lists the required permits and approvals for the project did not include the fact that permits may be required from the James City County Wetlands Board for any activity in the intertidal zone. The fourth and sixth items on the page would require a permit from the Board if the proposed activity was proposed to impact the intertidal zone from mean low to mean high water or to a point 1½ times the mean tide range if it is a vegetated tidal wetland.

Fire:

1. The proposed boat launch was not anticipated or incorporated into the Fire Department Capital Improvement Program. More information is needed to formulate a water safety response.

James City Service Authority:

1. The impact statement accurately provides an overview of the existing force mains and water mains and what improvements are proposed for each.
2. The impact statement does not address the existing conditions or the proposed upgrades to the existing sewage pumping stations at the Glasshouse or existing Visitor Center, which must be done for future expansion.

Parks & Recreation:

1. Parking will be an issue for the 2007 celebrations, but will all of the proposed parking be needed after 2007? Staff suggests developing a plan to remove excess parking spaces as needed.
2. If no parking is available in the main lot how will visitors be alerted to this fact and directed to available parking?
3. To enhance the visitor experience, Staff suggests the use of electronic message signage to direct the visitor to available parking.
4. If visitors are encouraged to use hiking and biking trails to access the Island from within, the National Park Service should provide reduced access fees to enhance this opportunity.

The Jamestown Project
James City County Comments—Page 3
September 30, 2002

Parks & Recreation, cont.

5. If visitors are encouraged to use hiking and biking trails to reach Jamestown Island, are all entrances into the Island pedestrian friendly? If not, accommodations should be made to provide easy access through signed portals and access control points.
6. The James City County park data on p. 3-174 is very outdated.
7. Mainland Farm on Greensprings Road is located too far north on the maps (the dot locates Deer Run subdivision.)

Police:

1. Recommend utilizing a combination of proper signage, marked pedestrian crossings and slow speed limits to alleviate traffic and pedestrian congestion while promoting safety in and between parking areas.

ID	Topic 1	Topic 2	Comment	Response
11.1	Alternatives	Trails	<p>The County has adopted a Bicycle Plan and a Greenways Plan with many facilities in the area. To help implement these plans, bicycle and pedestrian access to the Island and the Neck O'Land facility should be directly linked to the surrounding local community. This could be initially accomplished by providing a multi-use path from the soon-to-be constructed Rt. 359 multi-use path to the Island Visitor Center and the Neck O'Land intermodal facility, and from the existing Neck O'Land Road multi-use path connection to the Neck O'Land intermodal facility. Another multi-use connection from the existing Treasure Island Road multi-use connection to the intermodal facility and to the Green Spring site should be provided in the future. Finally, a multi-use path along the Colonial Parkway is recommended in the County's Greenway Plan. This along with connections to other County Greenway facilities should be included as future projects. Possible partnerships with the County for may be possible for the linkages to County bicycle and pedestrian facilities.</p>	<p>The NPS agrees that more hike/bike connections and opportunities are needed within the community. These connections will be considered by the NPS for future planning initiatives.</p>

ID	Topic 1	Topic 2	Comment	Response
11.2	Policy	Policy	Public water access to the James River and other water bodies in the vicinity of the project is a dire need, and supported by the County's Comprehensive Plan and Greenways Plan. Simple, inexpensive facilities (ie., sand beach, floating dock, or concrete steps) for launching small, nonmotorized boats (canoes and kayaks) by foot or use of hand-pull cats should be provided as a component of the project in as many locations as possible. Indeed, as stated in the NPS study, boats were relied upon by the early colonists and native inhabitants more than roads. Existing public access areas are too far away to make use of nonmotorized boats practical for trips on the water bodies surrounding the Island. By providing nonmotorized boat launching facilities in the area, visitors and locals could experience travel in much the same way as the colonists and natives, and better appreciate the island's development context, historical importance, and physical challenges, all of which are goals of the NPS project. Nonmotorized hand carried boats provide this experience much better than larger, motorized watercraft.	<p>The APVA and NPS do agree that viewing the Island and surrounding areas via canoe or kayak provides a wonderful experience for visitors and locals; however, the Jamestown Project DCP/EIS does not propose construction of any public water access facilities. This is a policy decision made by Colonial NHP. Currently, the park prohibits launching of personal watercraft (motorized and non-motorized) as outlined in Title 36 Code of Federal Regulations (CFR), Section 7.1 (a) which states that, "except in emergencies, no privately owned vessel shall be launched from land within Colonial National Historical Park and no privately owned vessel shall be beached or landed on land within said Park." The NPS definition of a vessel, which is different than the U.S. Coast Guard definition, is located in Title 36 CFR, Section 1.4, Definitions: "Vessels means every type or description of craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water, including a buoyant device permitting or capable of free flotation."</p> <p>The primary reason for the above regulation relates to the mission of Colonial NHP. As a national historical park, the park's primary mission is to preserve and interpret for visitors the historical significance and relationships of the sites and events at Jamestown, Yorktown, and Colonial Williamsburg. The Colonial Parkway and its associated pullouts with interpretive signs and waysides connect the three sites and add to the visitor's overall knowledge of the park along with the motorist's enjoyment of the Parkway's historic and natural resources. Therefore, the launching of personal watercraft from park land has been determined not to be a compatible recreational use of the park and is prohibited. One of the problems with allowing the launching of vessels is the practice would grow with the associated problems of limited parking, traffic congestion, erosion, and visual impacts. Allowing the launching of vessels would ultimately change the character of the Colonial Parkway.</p> <p>As an alternative, public and private launch facilities are located within the area along both the James and York Rivers and their tributaries. The closest facility is the Jamestown Marina, located along the Powhatan Creek, just north of the Jamestown Project site.</p>
11.3	Other	Editorial	Several of the maps do not show the completion of Route 199 from Jamestown Road to I-64 nor the recently completed Monticello Extension (Alternate Route 5).	These graphics have been changed to include this information.
11.4	Alternatives	Trails	The mean low water vertical and horizontal clearances of the proposed bikeway and pedestrian bridge over Back River should match or exceed that of the Colonial Parkway.	The vertical and horizontal clearance will at least match that of the existing Colonial Parkway bridges at Powhatan Creek and Sandy Bay. These efforts will be coordinated with the Federal Highway Administration and the Coast Guard.
11.5	Alternatives	General	While County staff supports the concept of the Neck O' Land intermodal facility, it should be carefully designed to avoid any negative impacts on nearby residents. Lighting should meet County standards (i.e., recessed or cut-off fixtures), and sound from any outdoor speaker systems should not be audible at the Colonial Parkway boundary.	The 2001 NPS Management Policies directs the NPS to limit impacts on natural lightscapes and soundscapes. Impacts to the adjacent community would be minimized, as noted in Section 3.1.2. The NPS will consider James City County standards for design of light features; however, NPS standards may be more limiting. Additionally, no outdoor speaker system is proposed at this facility.

ID	Topic 1	Topic 2	Comment	Response
11.6	Other	Editorial	In Volume 1,3-168 the description of R-8, Rural Residential Property, is from the James City County Zoning Ordinance, not the 1997 James City County Comprehensive Plan Land Use Plan.	Changed as suggested.
11.7	Other	Other	None of the 2000 Census Data has been included in this report and the residential potential analysis referenced on page 3-172 has been updated since 1996.	At the time the Draft DCP/EIS was prepared, the 2000 Census Data was not available. As for the residential potential analysis, the 1996 version was the most readily available when the Draft DCP/EIS was prepared.
11.8	Other	Other	On page 3- 178, a fifth fire station on Monticello Extended (Alternate Route 5) has been opened.	This information has been added to the document.
11.9	Alternatives	Trails	Bike access should be as seamless as possible. Currently, bicyclists can easily access the Island without having to park and go into a building to produce a pass. A similar approach should be used at the Neck-0-Land intermodal facility.	A similar approach will be used for cyclists at the Neck of Land facility.
11.10	Natural Resources	Natural Resources	Resource Protection Areas. Prior to encroachments into or activities in RPAs, a variance called a waiver or exception must be granted by the County. The granting of these variances is currently an administrative action taken by the Environmental Director. However, after adoption of required revisions to the Chesapeake Bay Preservation Ordinance, which will occur no later than March 1,2003, some variances will be required to go through a public hearing process and approval by a County board authorized to grant these variances. The proposed use of RPAs should be coordinated with the County as soon in the planning process as possible to minimize potential delays or modifications to plans.	Coordination efforts with the James City County Environmental Division and the Chesapeake Bay Local Assistance Department are currently ongoing. A variance will be required for the encroachment into the first 50 feet on the landward side of the RPA.
11.11	Natural Resources	Natural Resources	Resource Protection Areas. Figure 3-1 1 shows the location of RPAs on Jamestown Island and Neck of Land. While these areas may have been delineated by the project's consultants, there has been no confirmation by the County of the specific location of the RPAs.	Comment noted. Resource Protection Areas (RPA) depicted in Figure 3-11 were delineated by the consultants based on James City County definitions. The RPA includes delineated wetlands and waterways in addition to a 100-foot buffer. The buffer was applied in the GIS database to the GPSed locations of the delineated wetlands and waterways. Prior to specific project design and construction, the planning team will consult with James City County for approval of the delineated RPA.

ID	Topic 1	Topic 2	Comment	Response
11.12	Alternatives	Parking/Neck of Land Facility	Stormwater Management. The portion of the project on Jamestown Island and the Glasshouse area would be considered redevelopment under the County's stormwater program. As such, the post-development water quality load needs to be reduced by 10% below the existing levels. Generally this is accomplished through the use of stormwater management Best Management Practices or BMPs. Another way compliance with this standard can be met is through a 10% reduction in impervious cover. While the reduction in impervious cover for the Island or Glasshouse area was not documented, it may be possible for those portions of the project to achieve compliance through a reduction in impervious cover. New parking areas for the Intermodal Transportation Facility would need to meet the County's BMP Point System.	These requirements will be met and coordinated with James City County during the site plan design process. There are opportunities for a reduction in impervious cover on the Island. Additionally, because there is currently no stormwater management systems in place for any facilities on the Island, both the APVA and NPS will be greatly reducing the water quality load by putting such measures in place.
11.13	Other	Editorial	A minor omission was made on Table 1-1. This table which lists the required permits and approvals for the project did not include the fact that permits may be required from the James City County Wetlands Board for any activity in the intertidal zone. The fourth and sixth items on the page would require a permit from the Board if the proposed activity was proposed to impact the intertidal zone from mean low to mean high water or to a point 1 1/2 times the mean tide range if it is a vegetated tidal wetland.	This was an oversight. This information has been added to the table. In addition, a copy of the Jamestown Project DCP/EIS will be provided to the James City County Wetlands Board.
11.14	Alternatives	Water Taxi/Tours	The proposed boat launch was not anticipated or incorporated into the Fire Department Capital Improvement Program. More information is needed to formulate a water safety response.	The APVA and NPS will coordinate with the James City County Fire Department in order to help in the formulation of a water safety response.
11.15	Alternatives	General	The impact statement does not address the existing conditions or the proposed upgrades to the existing sewage pumping stations at the Glasshouse or existing Visitor Center, which must be done for future expansion.	Information related to the sewage pumping stations can be found in Section 3.7.2.2, under the subsection "Sanitary Sewer Service." This information was provided to the consultant engineer by the James City Service Authority.

ID	Topic 1	Topic 2	Comment	Response
11.16	Alternatives	Parking/Neck of Land Facility	Parking will be an issue for the 2007 celebrations, but will all of the proposed parking be needed after 2007? Staff suggests developing a plan to remove excess parking spaces as needed.	The Jamestown DCP/EIS proposes a trivial amount of additional parking spaces above what is now available in the Island parking lot (350 vs. 333). This parking has not been designed to meet the needs of the commemoration in 2007. Parking for 2007 is being addressed by the Jamestown 2007 Transportation Group.
11.17	Alternatives	Parking/Neck of Land Facility	If no parking is available in the main lot how will visitors be alerted to this fact and directed to available parking?	During the peak season, visitors would be directed to the Neck of Land parking facility. However, an appropriate signage system would also be used to alert visitors if parking in the Island lot is full.
11.18	Alternatives	Parking/Neck of Land Facility	To enhance the visitor experience, Staff suggests the use of electronic message signage to direct the visitor to available parking.	A signage system appropriate for use on the Colonial Parkway would be used to direct visitors to available parking.
11.19	Alternatives	Trails	If visitors are encouraged to use hiking and biking trails to access the Island from within, the National Park Service should provide reduced access fees to enhance this opportunity.	Details on fees have not been fully developed at this time. The APVA and NPS will take into consideration this comment when developing the fee program.
11.20	Alternatives	Trails	If visitors are encouraged to use hiking and biking trails to reach Jamestown Island, are all entrances into the Island pedestrian friendly? If not, accommodations should be made to provide easy access through signed portals and access control points.	Appropriate signage will be used to identify pedestrian areas.
11.21	Other	Other	The James City County park data on p. 3-174 is very outdated.	The data was obtained from the 1982 Recreation Plan and 1993 Parks and Recreation Master Plan.
11.22	Other	Editorial	Mainland Farm on Greensprings Road is located too far north on the maps (the dot locates Deer Run subdivision.)	The dot has been moved to the appropriate location.
11.23	Alternatives	General	Recommend utilizing a combination of proper signage, marked pedestrian crossings and slow speed limits to alleviate traffic and pedestrian congestion while promoting safety in and between parking areas.	In order to promote safe crossings between parking and venues, proper signage and slow speed limits will be used. The NPS does not typically "paint" areas within the Colonial Parkway.

JAMES RIVER ASSOCIATION
P.O. BOX 909
MECHANICSVILLE, VA 23111

October 1, 2002

Mr. Alec Gould
Superintendent
Colonial National Historical Park
P.O. Box 210
Yorktown, VA 23690

Dear Alec:

On behalf of the James River Association, I would like to offer the following comments on The Jamestown Project Draft Development Concept Plan and Environmental Impact Statement. Unfortunately, we were unable to participate in the public meeting on September 12, due to a conflict with our Board of Directors' Meeting.

Although we have not had the opportunity to adequately review all of the information in the Draft Plan in depth, we have examined the proposed alternatives and their potential environmental impacts. At this time, we are willing to support the Preferred Alternative B, as long as the potential impacts on stream quality, wetlands, shoreline, and other natural resources are minimal. If they are not minimal, we would prefer Alternative D, which has the least environmental impacts, or some compromise between Alternative B and Alternative D.

We would like to review and discuss the potential impacts from the proposed docks and water taxis, as well as the proposed bikeway, in Alternative B. We would also like to understand how the natural resources will be protected and interpreted, particularly the bald eagles' nests, the James River, Powhatan Creek, Back River, and the wetlands.

We appreciate the opportunity to participate in this process, and we welcome the opportunity to discuss these issues with you further.

Sincerely,



Patricia A. Jackson
Executive Director

James River Association
Patricia A. Jackson

ID	Topic 1	Topic 2	Comment	Response
12.1	Alternatives	General	We would like to review and discuss the potential impacts from the proposed docks and water taxis, as well as the proposed bikeway, in Alternative B. We would also like to understand how the natural resources will be protected and interpreted, particularly the bald eagles' nests, the James River, Powhatan Creek, Back River, and the wetlands.	

ID	Topic 1	Topic 2	Comment	Response
14.1	Interpretation	Interpretation	Visitor Center/Educational Facility: Good idea. One concern is that the center could become too technological with lots of computer displays and "glitzy" displays which attract attention but do not educate or stimulate reflection. Sometimes a simpler display with clear messages of why something is important and how it links with other events, sites, hypothesis, etc. is best.	Your comments have been provided to the interpretive designers.
14.2	Interpretation	Interpretation	Observation Building: This smaller footprint with a panorama of the fort site is good. This allows for visitors to ground themselves (understand and comprehend) on what they are seeing and set out an itinerary for seeing the rest of the site. Hopefully this will also tie in with the Jamestown fort replica site. See number two above.	Comment noted.
14.3	Alternatives	Trails	Hike/bicycle Trails: Always good! One objection I have heard from friends about the repaving of the loop road was that the new surface is unfriendly to bike riders.	Comment noted. Some cyclists have actually commented that the paving and bridge repair has been an improvement.

ID	Topic 1	Topic 2	Comment	Response
16.1	Alternatives	Parking/Neck of Land Facility	<p>My name is Darr Barshis. I own property at the end of Neck-O-Land Road, one lot away from property adjacent to the Colonial Parkway. I built two duplexes on this site approximately 15 years ago. I am concerned about the proposed plans for construction of a major transportation facility in the Neck-O-Land area on the Parkway. In particular, I am concerned about an increase in traffic, and the additional noise it will create at 532 Neck-O-Land. This proposed facility is a stones throw away from my property. The aggregate surface of the Parkway creates a lot of tire noise. A major parking facility in this area will permanently increase traffic using that part of the Parkway. The end of Neck-O-Land Road has always been a quiet sanctuary from the road noise and busyness of many other Williamsburg locations. The occasional passing car on the Parkway is noticeable, but unobtrusive at the current level of use. A facility on the scale of what is proposed would permanently change the way of life now enjoyed at the end of Neck-O-Land Road. If any traffic studies or noise impact studies addressing this issue have been completed, I would appreciate a copy. The last three lots on the southeast side of Neck-O-Land Road have 9 residences. All of these families will be impacted by an increase in traffic in this area of the Parkway, not to mention the impact of foot traffic from the occasionally inquisitive visitor - or worse. I would appreciate a call to discuss what studies have been completed and to get your opinion of this situation.</p>	<p>The Neck of Land parking facility would be on the southern side of the Colonial Parkway. There will not be access from this facility to the Neck-O-Land Road area. In addition, a 75-foot vegetated wooded buffer would be maintained between the cleared setback along the Parkway and the new facility. The Jamestown Project DCP/EIS does contain the results of the traffic and noise studies completed for the project. For information on Noise, please refer to Sections 3.3.2.14 (existing conditions) and 4.3.2.12 (impact analysis). For information on traffic, please refer to Sections 3.8 (existing conditions) and 4.8 (impact analysis).</p>

ID	Topic 1	Topic 2	Comment	Response
16.2	Other	Other	I am also concerned about the recent addition of a passageway at the end of Neck-O-Land Road. I am not sure why the area was cleared. Posts and bricks were placed in the ground to prevent cars from passing. If the clearing was for bike access, there had always been access around the guard rail for the casual biker who wanted it. The recent addition appears to invite passage, and makes me suspicious the end plan calls for something larger and more invasive.	This was not done as part of the Jamestown Project. This was an action taken by the NPS to formalize needed bike access to the Parkway. The Jamestown Project does not plan for "something larger and more invasive." This access does help foster the James City County initiative to increase hike and bike opportunities throughout the county.

ID	Topic 1	Topic 2	Comment	Response
19.1	Alternatives	General	I'm for the no option plan, do nothing. I object to any of the construction of the boat docks and the bridges going across Back Creek, and I object to the building of the terminal off of the parkway behind Neck-O-Land Road. I think it ought to be moved onto Jamestown Road in one of the vacant lots out there. That's it.	Comment noted. The Neck of Land parking facility has not been designed to accomodate the needs of 2007. The Jamestown Project DCP/EIS proposes a trivial amount of additional parking spaces above what is now available in the Island parking lot (350 vs. 333). Parking for 2007 is being addressed by the Jamestown 2007 Transportation Group. Purchasing additional property to locate parking off of the Parkway was considered; however, the cost, location, and availability of property was not feasible when compared with the Neck of Land property. NPS would like for visitors to travel along the Colonial Parkway; it provides an experience unto itself and also a transition to the Jamestown experience.

ID	Topic 1	Topic 2	Comment	Response
20.1	Alternatives	General	<p>The park service has worked a long time to clean up the parkway and now you are building a big parking lot right on the parkway. To say you want visitors to jump back in time, to see the island as it was can't be done if you put in a bridge and a bunch of boat docks. To preserve the authenticity of the island and settlement this project needs to be eliminated from the plan all together. I am specifically talking about the bike bridge over the water to the island, the parking lot and the boat docks at Neck-0-land site. The beauty is in the undisturbed land around the island and on the island.</p>	<p>Significant public and academic input, as well as historical perspective, went into the reshaping of the interpretive experience for Jamestown. The "sense of arrival" was identified as an important aspect that was lacking in the existing interpretive experience. Each item identified has been proposed to enhance the sense of arrival from various perspectives.</p>

ID	Topic 1	Topic 2	Comment	Response
20.2	Alternatives	Parking/Neck of Land Facility	<p>Dealing with proposal number one on the map from the Daily Press newspaper on August 1, 2002-called the transportation terminal, parking and drop off. Several years ago a local land conservation group purchased the land located in the Page Landing subdivision next to the colonial parkway. This was to stop the development of houses along the parkway to preserve the green space of the parkway and the scenic beauty. The land is located across the road or very near where you plan to put the parking lot and terminal. I believe the money to pay for the land eventually came from the U.S. Congress because they agreed also to preserve the parkway. By putting the project in its present location you will be blocking the view of the river from the parkway and if you are on the river you will be looking at a big parking lot. To have parking on the parkway is not a good idea. There is marshland all around the area you intend to build on. The best parking location is on Jamestown road or route 31. There is a big empty field that joins the existing parking lot at the settlement. You could rent this land and return it after 2007 if not needed or purchase it if you still need the parking. Also the Jamestown Marina is next to the parking lot. The way you should bring people to the settlement is to have them come down 199 and make a left or right turn on to South Henry Street to the colonial parkway then take a right towards Jamestown. The parkway should be widened, along with the bridges. As they travel towards the island they will have a beautiful view of the James River. When they get to the Powhatan Creek Bridge you should expand the width along with the span over river channel. There should be ample parking along Jamestown road with all the available land.</p>	<p>The Neck of Land parking facility would be located on the southern side of the Colonial Parkway. There will not be access from this facility to the Neck-O-Land Road area. In addition, a 75-foot vegetated wooded buffer would be maintained between the cleared setback along the Parkway and the new facility. The open and closed views along and experience of the Parkway would be maintained. In addition, a 100-foot wooded buffer along the Neck of Land wetland would also be maintained and enhanced, if required. This would help to limit views of the facility from Jamestown Island and those travelling in the Powhatan Creek-Sandy Bay-Back River waterway system. With respect to facility sizing, it has not been designed to accommodate the needs of 2007. Purchasing additional property to locate parking off of the Parkway was considered; however, the cost, location, and availability of property was not feasible when compared with the Neck of Land property. The Colonial Parkway and its surrounding landscape and views are considered historical resources. The original design of the Parkway is maintained by the NPS unless changes are required to ensure safety.</p>

ID	Topic 1	Topic 2	Comment	Response
20.3	Alternatives	Parking/Neck of Land Facility	Dealing with proposal number two. There would be no need to expand the parking lot if you take all the traffic to Jamestown road parking. There is plenty of land available for a parking lot. I also believe the land conservation group offered to let cars park at Mainland Farms which has plenty of room.	The Neck of Land parking facility has not been designed to accommodate the needs of 2007. The Jamestown Project DCP/EIS proposes a trivial amount of additional parking spaces above what is now available in the Island parking lot (350 vs. 333). Parking for 2007 is being addressed by the Jamestown 2007 Transportation Group. Purchasing additional property to locate parking off of the Parkway was considered; however, the cost, location, and availability of property was not feasible when compared with the Neck of Land property. NPS would like for visitors to travel along the Colonial Parkway; it provides an experience unto itself and also a transition to the Jamestown experience.
20.4	Alternatives	Water Taxi/Tours	Dealing with proposal number three, seven and twenty. There is a tour boat service that already takes people around the island and on nature tours located at the Jamestown Marina, which is also located next to the settlement. The Marina is big enough to accommodate several boats at one time. They also have all the support faculties needed. This service could be enlarged to accommodate more people as need. This will make the creek and the island more appealing and enable the tour boats coming from the Jamestown Marina more maneuverable in the creek. The river is narrow at the locations of the proposed three docks and will block the river when loading and unloading of people. Also the travel time will be very short to the next dock, which will not give a person a very good ride experience with the proposal you have. Also the parking on Powhatan creek overview is very limited. When you take people to and from the island they will get a better feeling of what it is like to land at the island and a much better view if they see the island as it was, not with a bunch of docks located around its premiere. It is unsafe due to the size of the river and is not the most desirable location. You should move the two docks to the James River side. Move one landing to the ship location and the other to the monument area, but don't block the view. People can see the ships as they enter the settlement and a dock is already there where the ships are now moored. The dock is big enough to except a tour boat. This way the waterway will not be destroyed from it original look.	

ID	Topic 1	Topic 2	Comment	Response
20.5	Alternatives	Trails	Dealing with proposal number six. The bike trail is not needed and to put another bridge across the water is just not preserving the island. It is not necessary or desired. The bike path is already established on the island and it should stay on the island. The existing road to the island should be expanded and improved to accommodate bikes. When you widen the Powhatan creek bridge this will give bicyclists a bigger bike path and also afford them a very enjoyable view of the creek and the island when they ride over. Adding all these docks, bike trails, bridges and parking lots is not a way to enhance the parkway. Protecting and trying to return the land back to its natural state usually is the battle cry of the park service when dealing with parks and history. The beauty is the natural peacefulness of the island and water. This is where it started and this is what it looked like. Don't change it.	The boardwalk experience and educational opportunities have been identified as critical aspects of the interpretive experience. Both the APVA and NPS see the hike/bike boardwalk as a wonderful opportunity to educate visitors on the American Indian experience as well as the natural environment. Tribes consulted during the planning process are also excited about this aspect of the Jamestown Project. Originally, expansion of the Colonial Parkway to include a separate hike/bike path was considered. Regional NPS representatives advised that adding a bike lane to the Parkway in this location would likely be an impact large enough to remove it from the National Register listing. Therefore, this aspect was removed from the the Preferred Alternative.
20.6	Alternatives	General	The main road leading to the island should be the only road to the island because it is an island. The road needs to be wider and the bridge raised with a longer span. Instead of allowing cars on the island to park, only allow them to travel around the island like they do now. Use buses to move people to various locations on the island and to the settlement entrance from the parking areas on Jamestown road.	
20.7	Alternatives	Water Taxi/Tours	You have several options other than tearing up the parkway and stopping up the waterway with all the docks for loading and unloading of people, which will shut down the creek to pleasure boat traffic. You need to think about the long-term effects to the river and what you plan to do after 2007. There are bald eagles locate on the island that will be effected. Will any of these services be used again or will the money run out and then be left to decay and pollute the river and landscape. If you want to enhance the island and the surrounding area for tourist, clean it up and leave it in a natural state.	Impacts to the waterways and surrounding area from the boat traffic are discussed in Sections 4.3.2.3, "Surface Waters," 4.3.2.9, "Rare, Threatened, and Endangered Species," 4.5, "Impacts to Visitor Experience," and 4.8, "Impacts to Transportation and Site Access." These services are not designed for 2007. As currently proposed, the water taxi and water tour would not be constructed until after 2007. Additionally, construction of the boat docks and support facilities would not require a "tearing up" of the Parkway.

ID	Topic 1	Topic 2	Comment	Response
22.1	Alternatives	General	I'm saying no to all that stuff. I don't want anything done. We've been there too long to have all that done.	Comment noted.

ID	Topic 1	Topic 2	Comment	Response
23.1	Alternatives	General	And no to the draft. I think that's what it says. No to the action. That's it.	Comment noted.

ID	Topic 1	Topic 2	Comment	Response
24.1	Alternatives	General	<p>The alternatives outlined in the proposed draft must be weighed in terms of the ultimate objectives. If the primary objective is to maintain Jamestowne as a site for ongoing archeological research, the proposals are sound. On the other hand, if the objective is to also increase visitation in the years ahead, the proposals will not do so. There will be limited interest in simply looking at a hole in the ground or speculating where the original fort was actually located. In my opinion, the proposed alternative plans all miss the mark and fail to provide a broader prospective of change which should be the hallmark theme of this four hundred year anniversary. Historic Jamestowne should be a destination or choice and not a missed turn off and be a secondary competitor to Jamestown Settlement. My view is that preserving the archeological integrity of the site as well as expanding the general public appeal can be achieved. My suggestions are as follows:</p> <p>Portray Change from the 17th Century to the Present Time</p> <ul style="list-style-type: none"> . Evolution of the English language (an educational film could be added); . Climate and associated topographical changes. (a short educational film could be added or signs erected among the loop road); . Housing - Reconstruct several of the buildings such as the Mansion, Ambler House, or the Row Houses. While it would be costly, it would immeasurably add to the visual experience and be a major attraction. Due to the nature of the structures, they would not overlap Jamestown Settlement and demonstrate the change/progress in the Colony within a short time frame; -Lifestyles in the 17th Century; -Erect a simple farmhouse along the loop road - Use it as a stop off point on a tram tour of the island to comment on 17th century farming techniques. 	<p>Your concerns and suggestions have been noted by the planning team. Once the Jamestown Project DCP/EIS has been finalized, the interpretive designers will focus in on the specific interpretive venues, stories to be told, etc. With regards to the suggestion to reconstruct several of the buildings, it is not the policy of the NPS to do full-scale reconstructions. These are not only very costly but also based on subjective interpretation. As proposed in the Jamestown Project, the Ambler House ruins would be stabilized and further interpreted; however, the structure itself would not be fully reconstructed. Without doing full reconstructions, the interpretive designers will use other methods to convey the story and experience of Jamestown. In addition, because of the sensitive nature of the outer Island, no new structures or interpretive venues are being proposed along the Loop Drive. Existing pull-offs and interpretive signage would be improved. The Agricultural Exhibit (formerly titled the "Ancient Planter Site") proposed for the eastern end of the Townsite would provide an interpretive venue focusing on 17th century farming techniques.</p>

ID	Topic 1	Topic 2	Comment	Response
25.1	Alternatives	Observation Building	It would be a shame to lose the triangle theme, which reflects the shape of the fort, in this reconstruction.	Comment noted. The planning team is unsure what is suggested by the "triangle theme." Typically, the term triangle is often used when speaking of the "historic triangle," which will be maintained.
25.2	Alternatives	Trails	These need to be stroller and wheelchair friendly.	The planning team will make every effort, where feasible, to make the hike/bike trails universally accessible.
25.3	Interpretation	Interpretation	Do you have plans for electronic interpretation using hand held receivers with dial codes depending upon location? It could be very helpful.	The interpretive plans will be prepared once the Jamestown Project DCP/EIS is finalized.
25.4	Partnerships	Partnerships	I believe that it would greatly benefit visitors if one Jamestown orientation piece could be produced that explained the roles of the APVA, NPS and JYF. This piece could be available at both locations encouraging cross visitation between the sites.	The facility proposed at Neck of Land would serve this function.

ID	Topic 1	Topic 2	Comment	Response
26.1	Alternatives	General	With respect to bicycle access, we'd like to see more access provided via the parkway by restriping the parkway, actually striping it and taking it from three side-by-side lanes, divide it in two, and putting a bike path in the inside of it.	The NPS agrees that more bicycle access to the park is required; however, the Colonial Parkway and its landscape and views are considered historic resources. The original designed intent of the Parkway should be maintained, where possible. Changes to the design are typically only allowed for safety reasons. Other options for bicycle access within Colonial NHP (i.e. between Jamestown and Yorktown) will be examined after the Jamestown Project DCP/EIS is finalized.

ID	Topic 1	Topic 2	Comment	Response
27.1	Other	Other	I was looking at the map over there, and it had Gospel Spreading Farm, and I thought that land was deeded to the National Memorial for The Colored Race of America or a bible college, but I don't know that much about it. But maybe someone could let me know since I'm a citizen. You understand? I'd like to know who owns what. You understand?	The federal government does not own the property commonly known as Gospel Spreading Farm. Because this property is privately owned, plans for the property are beyond the scope of the Jamestown Project and NPS or APVA control.

ID	Topic 1	Topic 2	Comment	Response
28.1	Partnerships	Partnerships	Improve coordination between the APVA and NPS at all levels and present a unified appearance to the public. A recent article in the Virginia Gazette implied that the APVA and the NPS are competing. Coordinated signage and publicity are needed.	The APVA and NPS are working together, as partners, on both the Jamestown Project and the 2007 commemoration. In addition, both organizations are trying to improve relations with the Jamestown-Yorktown Foundation (Jamestown Settlement operators) in order to present a unified Jamestown experience for the visitor.
28.2	Funding	Funding	Funds and time are limited. Prioritize those elements of Alternative B that are critical to 2007 deadline and defer the others. Is the Ancient Planter site critical? Given a lack of cooperation from JST Settlement, is anything on Neck-of-Land critical - or is it only for 2007 parking?	This suggestion has already been undertaken. Those elements critical to 2007 would be constructed first. The Agricultural Exhibit (Ancient Planter site) is not critical to 2007 but would hopefully be constructed prior to the commemoration in 2007. Neck of Land, however, is a critical element of the Jamestown Project. The parking facility planned at Neck of Land is not designed for parking in 2007, but to accommodate spaces that will be removed from the Island once the replacement Visitor Center is constructed. In all, proposed parking in the Jamestown Project increases minimally over what currently exists (350 vs. 333).
28.3	Interpretation	Interpretation	Physical improvements are important, but interpretation is the key. Do not make physical improvements that cannot be supported long-term with an interpretation budget.	Prior to development of the Jamestown Project DCP/EIS, the Jamestown Island Interpretive Plan was prepared (see Section 1.5.2 for details). This document provided the overall concept for the Jamestown Project and guided the locations and types of facilities presented in the DCP/EIS.
28.4	Alternatives	General	Remove disruptive elements from Olde Towne site. These include the Sprung building and the palisade. Mark the original fort location in a low unobtrusive manner. Make the view from the Observation Building as unobstructed as possible and use virtual imaging to portray desired elements.	Your comments have been provided to the APVA and the interpretive designers. The Sprung building was put in place to protect the sensitive archaeology of the Fort Site, while visitors observe the ongoing dig. It was proposed as a temporary structure and may be removed in the future. The palisade was also constructed to provide visitors with a physical representation of the 1607 Fort. The view from the Observation Building would be as unobstructed as possible and virtual technology is proposed as a way to portray the Townsite without construction physical structures.
28.5	Interpretation	Interpretation	Confine any construction of physical interpretive elements to the New Towne area.	Beyond the facilities proposed in the Jamestown Project DCP/EIS, any physical interpretive elements proposed in New Towne would be covered in the subsequent Interpretive EA. The APVA may choose to add physical interpretive elements to Old Towne once the Jamestown Project DCP/EIS is finalized. Any additional improvements on Old Towne would not require NEPA documentation.
28.6	Alternatives	Trails	Given the experience trying to maintain safe conditions on the existing footbridge, consider modern low-maintenance materials on proposed walkway from new Visitors Center to Observation Building and other visitor areas.	Because of the location of the pedestrian footbridge, a boardwalk is required to limit impacts to the wetland below (Pitch and Tar Swamp). If possible, modern, low-maintenance materials will be used.
28.7	Partnerships	Partnerships	Cooperate with other entities in the area to offer a total package of options to the visitors, creating a clear understanding of the provenance and significance of each attraction.	In addition to working with the Jamestown-Yorktown Foundation, both the APVA and NPS are working closely with Colonial Williamsburg to offer unified visitor options, specifically related to transportation. See Section 4.2 for a full discussion of impacts of the Jamestown Project on partnerships.

ID	Topic 1	Topic 2	Comment	Response
29.1	Partnerships	Partnerships	<p>I think the ParkService and APVA have done an excellent job presenting plans. I think their Alternative B is great if we can get the money for it. But I'm really disappointed that the State hasn't involved in it -- none of the material shows Jamestown Settlement even exists, and so we still have two Jamestown. When we originally started talking about all this, we talked about having a seamless experience for visitors coming in, and it hasn't come arout that way. And that's really a disappointment.</p>	<p>The APVA and NPS are working together, as partners, on both the Jamestown Project and the 2007 commemoration. In addition, both organizations are trying to improve relations with the Jamestown-Yorktown Foundation (Jamestown Settlement operators) in order to present a unified Jamestown experience for the visitor. In addition, all graphics within the Jamestown Project DCP/EIS depict and clearly identify the Jamestown Settlement.</p>

ID	Topic 1	Topic 2	Comment	Response
30.1	Alternatives	General	<p>What I'd like to say is that I fully support Jamestown being presented, that the interpretive part, the archeological part, presenting the history to the visitors, but I'm totally opposed to all the transportation proposals that have been set forth here in the preferred alternative, particularly opposed to anything that's dealing with the creek, filling the creek up with docks, filling the creek up with boats, putting bridges over the creek. I feel that we currently have that infrastructure in place.</p> <p>There's parking, there's docks at the Jamestown Settlement, there is adequate access to the island as it exists, and I feel like that that building -- I think it's a total waste of money to spend that much money to do that when what we have now is underutilized. And all that construction may be utilized during 2007 during the summer, but according to the gentleman that made the presentation, it wouldn't even be open a great part of the year.</p> <p>That's my main point, that you're looking at destroying environmentally sensitive -- not destroying, tampering with the environmentally sensitive areas to do all that, and I just don't support that part of the project at all.</p>	

ID	Topic 1	Topic 2	Comment	Response
31.1	Alternatives	General	I want to vote against the recommendation for the project for Jamestown, specifically against the parking lot that they're planning to add and the bridge, et cetera, that goes over the creek itself. I feel it's going to shut down the creek itself and reduce the quality of history that Jamestown Island has today. I wasn't planning on saying all that stuff . That's my biggest complaint. So I guess I want to vote no against the proposed improvements.	

ID	Topic 1	Topic 2	Comment	Response
33.1	Alternatives	General	Need to encourage out of town visitors to leave their vehicles at their hotels/motels and take buses to JT.	This is an excellent suggestion. The APVA and NPS are working on improved marketing tools and new opportunities to promote alternative transport to Jamestown.

ID	Topic 1	Topic 2	Comment	Response
36.1	Alternatives	Trails	<p>The waterway in back of Jamestown Island is a Federal navigable channel and as such any foot bridge that you put over it must take into account the clearance needs of the vessels that typically traverse that waterway. The present Colonial Parkway Bridge has a horizontal clearance of 25 feet and a vertical of 12 feet at MHW. The Jamestown Island Bridge has a stated horizontal clearance of 48 feet (it sure doesn't seem that wide when the current is running strong and an other vessel is approaching) and a vertical of 12 feet at MHW. Those bridges have been there for many years and the power vessel traffic has come to tolerate that low clearance, but it restricts the size and number of vessels that can safely navigate Powhatan Creek. I have seen a number of large sail boats come up The Thorofare/Back River channel and anchor off buoy 11 for the night. Even if your foot bridge had a clearance similar to the existing road bridges, such future usage of the waterway would be impossible.</p>	

ID	Topic 1	Topic 2	Comment	Response
36.2	Alternatives	Water Taxi/Tours	<p>On a busy holiday weekend there is a large amount of vessel traffic on this waterway. During the year 2007 with the increased level of interest generated, this general vessel traffic could easily be projected to increase dramatically. If your water taxi traffic is added to this other traffic, I foresee major hazards in this narrow shallow channel. While I realize your goal is to try to take some car traffic away from the area roads, I do not believe that the waterways can safely take the increased vessel traffic that would result.</p> <p>The location mentioned for a dock at the Powhatan Creek overlook is in a area of potential boating hazard. Immediately down river of the overlook is a sharp turn in the Creek. At other than very high tides, vessels coming up and down the creek can not see each other. People typically travel that area at planning speed and even with the present level of boat traffic, it has been amazing that more collisions have not occurred. Your dock and its associated large increase in vessel traffic will greatly increase the potential for serious collisions. During the actual year of the celebration this risk could possibly be controlled by the appropriate concentration of law enforcement vessels to slow the traffic down. This assumes that the required level of personnel would be available (a very big if).</p>	<p>Impacts to the waterways and surrounding area from the boat traffic are discussed in Sections 4.3.2.3, "Surface Waters," 4.3.2.9, "Rare, Threatened, and Endangered Species," 4.5, "Impacts to Visitor Experience," and 4.8, "Impacts to Transportation and Site Access." These services are not designed for 2007. As currently proposed, the water taxi and water tour would not be constructed until after 2007.</p>

ID	Topic 1	Topic 2	Comment	Response
37.1	Interpretation	Interpretation	<p>First and foremost, I believe that the NPS and the APVA are missing a golden opportunity in educating visitors about the fascinating history of Jamestown and America by not including a permanent program of character interpreters at Historic Jamestowne. The recent event to commemorate Bacon's Rebellion is an excellent example of the many ways in which character interpreters can make this history come alive for visitors of all ages. The current estimate of \$60 million to complete all the projected plans is a great deal of money, some of which should be used to fund a continuous presence of 17th century "people of the past" in 17th c. costumes involved in appropriate activities. A room full of computer screens and "virtual" imaging techniques cannot begin to equal the excitement of the person-to-person experience gained by interactions between visitors and "real" people from the 17th century. Without question, those personal interactions are the most enjoyable and effective way to learn about the history of this uniquely important place called Jamestown.</p>	<p>Comment noted. Recent visitor surveys have shown a desire for costumed interpreters; however, both the APVA and NPS would require budgetary increases in order to hire additional staff for these positions. When possible (and as often as possible), interpretive programming will incorporate costumed interpreters. The person-to-person interaction is a very important experience and both APVA and NPS staff will continue to offer ranger- and volunteer-led tours.</p>
37.2	Alternatives	Parking/Neck of Land Facility	<p>With regard to the alternatives being considered as part of the DCP, Alternative B would appear to be preferable, but I would expand the parking lot to the size now discussed as part of Alternative C. I think there are advantages to having most of the parking at the Neck of Land location, as well as all the ticketing and orientation activities. Visitors need to understand what they will be seeing where and have convenient transportation options explained and available to them.</p>	<p>Comment noted. Visitors would be directed to the Neck of Land parking facility first in order to limit Island vehicular traffic, provide visitors with an overview of both Historic Jamestown (Jamestown Island) and Jamestown Settlement, and provide visitors with an interpretive venue focusing on the American Indian experience. As proposed in the Preferred Alternative (Alternative B), some parking should remain on the Island to allow for employees and visitors during the off-peak season.</p>

ID	Topic 1	Topic 2	Comment	Response
37.3	Alternatives	General	<p>The transportation modes need to include all the Jamestown sites. Since the Green Spring unit plans to be open by 2007, any bus or tram should take visitors onto Jamestown Island, stopping at the Glasshouse location and main fort site, or to Green Spring. It is important to provide parking at a central location and allow visitors to get to all the Jamestown sites without getting back in their own vehicles. Alternative C provides more parking at the Neck-of-Land location. Parking on the island could be limited to employees, volunteers, and possibly VIP delegations. All regular public parking should be at the Neck-of-Land location.</p>	<p>As previously noted, visitors will be directed and encouraged to use the Neck of Land parking facility. From there, visitors would not only be able to take a shuttle to the sites within Historic Jamestowne (Jamestown Island and Glasshouse), but also to Jamestown Settlement, Green Spring, Williamsburg, and Yorktown.</p>

ID	Topic 1	Topic 2	Comment	Response
38.1	Alternatives	Trails	<p>The proposed Hike/Bicycle Path between the proposed parking at Neck O' Land and the Island is an excellent way to arrive, and should be well used by local cyclists as well as visitors.</p> <p>Our one concern is that this Path be surfaced in a "bicycle friendly" way. A tar and gravel surface creates significant problems for bicyclists, and a concrete, concrete aggregate or asphalt surface would be preferred over a "tar and chip" surface. The surface of the proposed boardwalk should also be constructed so that it also provides a safe, smooth surface for bicyclists. Such surfaces will also benefit pedestrians and persons with disabilities.</p>	<p>Because the hike/bike path is being created for usage by pedestrians and bicyclists, a "bicycle friendly" surface material and boardwalk design will be used. Additionally, because of the sensitive location of the trail, considerations will be given for surface materials that have a high permeability in order to limit impervious cover. Trails will be designed, where feasible, to be universally accessible.</p>

ID	Topic 1	Topic 2	Comment	Response
39.1	Alternatives	Trails	<p>I personally would love to walk in by path "on the pre-1957 road trace before entering the Neck of Land where it becomes a boardwalk(!), connecting to Jamestown island by a pedestrian bridge over the Back River!" I think this distance covered by foot for the abled and especially for school children would be a relief after having traveled so far by bus and/or car. Having to walk in like this would give visitors a real sense and feel for the size of the island the colonists chose for a home and for whom learned that the island is large. Children can realize that in 1607 at Jamestown there were no horses, cars, trucks, buses, bicycles, trains, and airplanes. I once took a comp time day from work after thinking about it for several days and came to Jamestown Island and walked from the glass house point around to and along both loop roads to Black Point to get a feel for the island's size. It was tiring, but I have a new perspective and appreciation for the size of the island. I also would love to walk where the pre-1957 road was because that is the way I used to arrive at Jamestown over the old humpback wood bridge by car as a teenager to see the new town excavations in progress, see then Mr. Cotter, and visit the small museum-offices building. I have fond memories of that route. Recently, I tried to locate it, but some houses and a fence prevented me. Open that up again.</p>	<p>The boardwalk experience and educational opportunities have been identified as critical aspects of the interpretive experience. Both the APVA and NPS see the hike/bike boardwalk as a wonderful opportunity to educate visitors on the American Indian experience as well as the natural environment. Tribes consulted during the planning process are also excited about this aspect of the Jamestown Project.</p> <p>The suggestion of using the old road trace was actually the original route proposed by the planning team; however, at the end of 2000, the discovery of federally threatened and endangered species (sensitive joint-vetch and bald eagle) prompted the rerouting of the trail. Overall, the trail is located to avoid the last observed location of the plant population and the habitat identified as the most suitable (i.e. along the banks of the old road trace).</p>
39.2	Alternatives	Trails	<p>Even a push-button speaker program along the bridge or incoming path about where they are, what to expect ahead and briefly what went on in 1607+ on this island would nice and would give those who wanted one a break from walking: allow older one just to sit down a moment (while others may prefer to rush on).</p>	<p>Interpretive plans for the marsh boardwalk have not been designed yet. Because of the location, interpretive signage will most likely be used in this area.</p>
39.3	Alternatives	General	<p>Putting the Visitors Center in the existing parking lot and ridding the island of traffic puts a different perspective on the island. A center should be on the parking lot, with the two loop drives converted to foot trail-bicycling trail-shuttle bus trail activities only. This would probably clean the air too.</p>	<p>Vehicular access to the Loop Drive would still be allowed; however, during peak visitation, visitors would be encouraged to do the Loop Drive experience aboard the proposed shuttle system.</p>

ID	Topic 1	Topic 2	Comment	Response
39.4	Cultural Resources	Cultural Resources	Might there be other structures and features under the present parking area?	This is always a possibility; therefore, an NPS and/or APVA archaeologist(s) will be present during the construction of the replacement Visitor Center and parking lot reconfiguration.
39.5	Cultural Resources	Cultural Resources	What will be done about the 2 or 3 farms or homesteads that reportedly are on the island east of Jamestown? We can see plow furrows in the woods from one of the loop roads as indicated by the sign. Some archeology thought says to leave the materials for when better techniques come along. I think that excavations should proceed because the ground is presently doing quite a rotting number on all artifacts now in the ground: metals rust into total rust and vanish, glass can dissolve away, pottery can disintegrate from soil chemistry, wood is gone, and bones can dissolve into mere stains in the ground (re: Alan Outlaw at the Governor's Land excavation where only the soil stain of a former burial lays), and so forth. Stone is the only thing that might really last; it has from paleo-Indian times.	The Jamestown Project does not propose any actions on the outer Island east of the Townsite. Preservation in place of archaeological resources is typically the policy of the NPS.

Summit Enterprises, Inc
Alan M. Voorhees

ID	Topic 1	Topic 2	Comment	Response
40.1	Other	Editorial	The only comment I have is that it is hard to keep in mind the difference between the various alternatives. I know you have tried to do this several times. Maybe a simpler chart or diagram would help.	Comment noted.

ID	Topic 1	Topic 2	Comment	Response
42.1	Alternatives	Visitor Center	In the light of recent economic problems perhaps this current facility can be retrofitted to function effectively for 2007 and years to come.	This is proposed under Alternative D. However, the Preferred Alternative (Alternative B) of minimizing the existing Visitor Center to create the Observation Building and constructing a replacement Visitor Center in the Island parking lot would help to alleviate visitor confusion, improve the visitor experience and opportunities, and reduce the visual intrusion of the existing Visitor Center on the historic Townsite.
42.2	Alternatives	General	Work out some form of jitney or small carrier system to transport older or semi-handicapped from major attractions on island.... to church.... monuments.	Your comment has been noted. The Jamestown Project does not currently propose any such system.
42.3	Alternatives	Trails	Have them well labeled and/or have free maps or charts. Be sure to have a few sturdy bicycle racks where riders would be expected to leave bikes when participating in other activities.	These are good suggestions related to the hike/bike trails. Appropriate signage will be posted identifying the trail locations. Bicycle racks will also be provided in locations on the Island and at the Neck of Land facility.
42.4	Other	Other	To me the key to success in this whole issue is educating the public as to what is available at all the sites and to help people arrive and orient themselves in a most expeditious manner - this will require skilled advertising, clear directions, and whole hearted cooperation of all interested public ... Perhaps its not too soon to begin retooling the minds of locals.	Comment noted. The APVA and NPS are working on new marketing opportunities, in particular within the local community. In addition, the Neck of Land facility will provide an opportunity to orient visitors to not only Historic Jamestowne (Jamestown Island and Glasshouse), but also the Jamestown Settlement and other historically-related options.

ID	Topic 1	Topic 2	Comment	Response
43.1	Alternatives	Visitor Center	Does this include plans for Jamestown Island Discovery Center - a proposed educational research center housed in a new structure? Presently the Yearly House is being used for similar program - much smaller scope.	The Jamestown Rediscovery Center (Yeardley House) currently provides curatorial and research space (although minimal) for the APVA. The expansion of the Yeardley House to accommodate the NPS portion of the Jamestown collection and additional research space will serve as the research arm of proposed educational and research center. In addition, the replacement Visitor Center proposed in the existing Island parking lot will serve as the education arm of the facility.
43.2	Alternatives	Collections	I didn't see reference to the use of the Yearly House - or did I miss it?	The Yeardley House, or Jamestown Rediscovery Center, is where the APVA currently houses their portion of the Jamestown collection. Under the Preferred Alternative, an addition to the Yeardley House would be constructed to house the NPS portion of the Jamestown collection.
43.3	Alternatives	Water Taxi/Tours	Would the water taxi negate the use of privately owned canoes, kyacks and other non-motorized forms of water transporation?	The water taxi would not eliminate the use of privately owned canoes, kayaks, and other non-motorized forms of water transportation within the Powhatan Creek-Sandy Bay-Back River water system.
43.4	Alternatives	General	How will visitors be oriented to the island/their approach is by Rt. 31? Will they face the same confusion as exists today resulting in a visit to the Settlement first?	With the realignment of Route 359 around the Settlement parking lot, the APVA and NPS are hopeful that visitor confusion will be minimized. Appropriate signage will also be used in this area, directing visitors to the Neck of Land facility. In addition, the APVA and NPS are working together on new marketing techniques that will help orient the visitor to the area before coming to Jamestown.
43.5	Other	Other	I'm curious to know more definitely what is included in the accomplished 80% of the Strategic Plan by 2005.	The goal you are referring to is taken from the Colonial NHP Strategic Plan for Fiscal Year 2001-2005. The actual goal is to approve and implement 80% of the plans for the 400th anniversary of Jamestown by September 30, 2005. These plans have not yet been developed. The NPS and APVA are working closely with James City County, the City of Williamsburg, Colonial Williamsburg, the Jamestown-Yorktown Foundation, and others to develop and implement these plans. The Jamestown Project DCP/EIS is not actually part of the plans for 2007. It is a development plan for Jamestown for 2007 and beyond.

**Members and Friends of the Mid-Atlantic Paddlers
Members and Friends of the Mid-Atlantic Paddlers Association**

ID	Topic 1	Topic 2	Comment	Response
44.1	Policy	Policy	<p>Our paddlers have a strong interest in traveling the waters in the Jamestown Island area in nonmotorized watercraft in much the same way as the early Native Americans and colonists. We have reviewed the Jamestown Project Draft Development Concept Plan/Environmental Impact Statement and support the National Park Service's desire to make these water bodies more accessible to the public as proposed in Alternative B. This plan calls for intermodal transportation to the island, yet includes only bikeing and hiking as intermodal transportations. We support the addition of canoe/kayak w/in the intermodal framework. Which would allow people to see the from Jamestown Island from the scenic waterways. By adding hand-launch sites, the Park will be even more valuable to locals, and will open up new venues for eco-tourism. This in turn should translate to even high visitation of National Park facilities. Simple, inexpensive facilities such as sand beaches or floating docks for launching small, nonmotorized boats by carrying or use of hand-pull carts should be provided as a component of the project in as many locations as possible. Beach access at multiple sites would provide paddlers w/ all they need to circuit the Island. These access sites would cost the park service nothing, being a win win situation for all involved. Today the park service has no access for paddle boats, the reason being that Jamestown, Yorktown, and the Colonial Parkway are a historical park. As the range of our craft is slow compared to bicycle and Auto transportation nearby access is vital to touring the island. Hand-launch sites closer to the Island would open the area up for loop trips around the Island, a much more preferable type of trip than one that requires back-tracking a route. As stated in the NPS study, boats were relied upon by the early colonists and native inhabitants more than roads. By providing hand-launch facilities in the area, visitors and locals will better appreciate the Island's development context, historical importance,</p>	<p>The APVA and NPS do agree that viewing the Island and surrounding areas via canoe or kayak provides a wonderful experience for visitors and locals; however, the Jamestown Project DCP/EIS does not propose construction of any public water access facilities. This is a policy decision made by Colonial NHP. Currently, the park prohibits launching of personal watercraft (motorized and non-motorized) as outlined in Title 36 Code of Federal Regulations (CFR), Section 7.1 (a) which states that, "except in emergencies, no privately owned vessel shall be launched from land within Colonial National Historical Park and no privately owned vessel shall be beached or landed on land within said Park." The NPS definition of a vessel, which is different than the U.S. Coast Guard definition, is located in Title 36 CFR, Section 1.4, Definitions: "Vessels means every type or description of craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water, including a buoyant device permitting or capable of free flotation."</p> <p>The primary reason for the above regulation relates to the mission of Colonial NHP. As a national historical park, the park's primary mission is to preserve and interpret for visitors the historical significance and relationships of the sites and events at Jamestown, Yorktown, and Colonial Williamsburg. The Colonial Parkway and its associated pullouts with interpretive signs and waysides connect the three sites and add to the visitor's overall knowledge of the park along with the motorist's enjoyment of the Parkway's historic and natural resources. Therefore, the launching of personal watercraft from park land has been determined not to be a compatible recreational use of the park and is prohibited. One of the problems with allowing the launching of vessels is the practice would grow with the associated problems of limited parking, traffic congestion, erosion, and visual impacts. Allowing the launching of vessels would ultimately change the character of the Colonial Parkway.</p> <p>As an alternative, public and private launch facilities are located within the area along both the James and York Rivers and their tributaries. The closest facility is the Jamestown Marina, located along the Powhatan Creek, just north of the Jamestown Project site.</p>

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			and physical challenges, all of which are goals of the NPS project. Nonmotorized, hand-launched boats provide this experience much better than larger, motorized watercraft.	